



**PLANNING COMMISSION AGENDA**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

CALL TO ORDER: COMMISSIONERS' BRIEFING, 5:37 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

**ATTENDANCE:**

**PRESENT:** CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN TODD NIGRO, MEMBERS STEVEN EVANS, LAURA McSWAIN, LEO DAVENPORT AND DAVID STEINMAN.

EXCUSED: COMMISSIONER GOYNES (Arrived at 6:07 p.m.)

**STAFF PRESENT:** ROBERT GENZER – PLANNING AND DEVELOPMENT, DAVID CLAPSADDLE – PLANNING & DEVELOPMENT DEPT., KYLE WALTON – PLANNING AND DEVELOPMENT, DAVID GUERRA – PUBLIC WORKS, YONGYAO LOU – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, STACEY CAMPBELL – CITY CLERK'S OFFICE, ARLENE COLEMAN – CITY CLERK'S OFFICE

**MINUTES:**

DAVID CLAPSADDLE, Planning and Development, stated that the applicant is requesting to hold Item 3 [TMP-4838] in abeyance until 09/23/2004. In addition, Item 4 [TMP-4842] and Item 5 [TMP-4843] would be withdrawn without prejudice.

Regarding Item 30 [ZON-4828] and Item 31 [SDR-4837], the applicant requested a two-week abeyance. However, staff requested a 30-day abeyance, as there was a concern with having sufficient time to review the revised site plan (after the applicant's neighborhood meeting) and present it to the Commission in two weeks.

Regarding Item 7 [SDR-4740] and Item 12 [SDR-4827], staff requested these items be pulled from one motion one vote. For Item 7 [SDR-4740], staff received today a revised site plan for the parking lot and additional landscaping and would like to also discuss the underground utilities. For Item 12 [SDR-4827], the applicant requested a waiver regarding the foundation landscaping, which staff recommended denial on and would like a discussion to take place.

Regarding Item 33 [SUP-4807], Item 34 [SUP-4808] and Item 35 [SUP-4809], staff suggested all three items be heard at the same time, as they are in relation to one another. In addition, staff received a signed petition with 22 signatures in opposition of the proposed project.

Regarding Item 43 [SUP-4919], the application reflected Ward 1 but a portion of the request is in Ward 5 also. MR. CLAPSADDLE clarified, on record, that the application is both in Ward 1 and Ward 5 and would be changed for City Council.

Regarding Item 13 [SDR-4835], additional conditions would be added, as staff did not have the opportunity to include them in the backup documentation. The applicant has been made aware of these added conditions.

Regarding Item 30 [ZON-4828] and Item 31 [SDR-4837], MR. CLAPSADDLE clarified for COMMISSIONER DAVENPORT that the applicant would like to hold another neighborhood meeting. Thereafter, staff would like to ensure sufficient time is given to review the revised site plan prior to presenting it to the Commission.

COMMISSIONER McSWAIN commented on Item 2 [TMP-4832] questioning if a Site Plan has been reviewed in the past prior to a Tentative Map. MR. CLAPSADDLE clarified for COMMISSIONER McSWAIN that when a conversion is done, one of the Code requirements is having a Site Plan Review before a Tentative Map. MR. CLAPSADDLE then stated that timing may have been an issue on this item but he would review the file.

COMMISSIONER STEINMAN requested that Item 8 [RQR-4664] and Item 14 [SDR-4841] be pulled from one motion one vote so a discussion could take place.

Regarding Item 33 [SUP-4807], Item 34 [SUP-4808] and Item 35 [SUP-4809], MR. CLAPSADDLE clarified for DEPUTY CITY ATTORNEY BRYAN SCOTT that the petition was actually a typewritten list of names and addresses and not the actual signatures of those opposing the project. DEPUTY CITY ATTORNEY SCOTT'S concern was that the petition was not a list of actual signatures. MR. CLAPSADDLE added that normally staff would also have petitions that would be used as a cross reference to alleviate duplicates.

Regarding Item 49 [MOD-4879], staff requested to strike this item from the agenda, as there is a major modification to the medical district standards and staff would need to do a re-notification.

**MEETING ADJOURNED AT 5:44 P.M.**



**PLANNING COMMISSION AGENDA**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT [www.kclv.tv](http://www.kclv.tv). THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by CHAIRMAN TRUESDELL

CALL TO ORDER: 6:04 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

**MINUTES:**

**PRESENT:** CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN TODD NIGRO, MEMBERS STEVEN EVANS, LAURA McSWAIN, LEO DAVENPORT, DAVID STEINMAN AND BYRON GOYNES (Arrived at 6:07 p.m.).

**STAFF PRESENT:** ROBERT GENZER – PLANNING & DEVELOPMENT DEPT., MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE – PLANNING & DEVELOPMENT DEPT., KYLE WALTON – PLANNING & DEVELOPMENT DEPT., YONGYAO LOU – PUBLIC WORKS, DAVID GUERRA – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, STACEY CAMPBELL – CITY CLERK'S OFFICE, ARLENE COLEMAN – CITY CLERK'S OFFICE

DAVID CLAPSADDLE, Planning and Development Department, referenced the following items that were requested to be held in abeyance, tabled or withdrawn without prejudice. Letters are on file for each of the requests.

Item 3 [TMP-4838]	Abeyance to 9/23/2004 Planning Commission meeting
Item 4 [TMP-4842]	Withdrawn Without Prejudice
Item 5 [TMP-4843]	Withdrawn Without Prejudice
Item 16 [ZON-4623]	TABLED
Item 17 [SDR-4626]	TABLED
Item 18 [GPA-4631]	Abeyance to 9/09/2004 Planning Commission meeting
Item 19 [ZON-4635]	Abeyance to 9/09/2004 Planning Commission meeting
Item 20 [SDR-4638]	Abeyance to 9/09/2004 Planning Commission meeting
Item 26 [SDR-4619]	Abeyance to 9/23/2004 Planning Commission meeting
Item 27 [MOD-4632]	Abeyance to 9/09/2004 Planning Commission meeting

Item 28 [WVR-4754]	Abeyance to 9/09/2004 Planning Commission meeting
Item 29 [SDR-4751]	Abeyance to 9/09/2004 Planning Commission meeting
Item 30 [ZON-4828]	Abeyance to 9/23/2004 Planning Commission meeting
Item 31 [SDR-4837]	Abeyance to 9/23/2004 Planning Commission meeting
Item 40 [SUP-4834]	Withdrawn Without Prejudice
Item 47 [WVR-4833]	Abeyance to 9/23/2004 Planning Commission meeting
Item 48 [SDR-4832]	Abeyance to 9/23/2004 Planning Commission meeting
Item 49 [MOD-4879]	Stricken

RICHARD LEMMON, 9645 Haley Avenue, stated that this is the second abeyance request on Item 16 [ZON-4623] and Item 17 [SDR-4626]. By a show of hands, he indicated that there were residents in attendance who opposed this project. The residents have met with the applicant several times and expressed their opposition to the density, the lot sizes and the setbacks. CHAIRMAN TRUESDELL explained to MR. LEMMON that at that time, the Commission was only voting on whether or not to abey these items. MR. LEMMON then stated that they would support the abeyance only if changes were going to be made. CHAIRMAN TRUESDELL asked if the applicant was present. JOHN FIELD, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He stated that they requested to hold the items in abeyance because they are continuing to work with the residents, and there would be significant modifications to the proposed project. He then asked for a 30-day abeyance, which would give sufficient time to review the comments from all parties involved and finalize a Site Plan that would be acceptable to everyone. COMMISSIONER EVANS suggested that if these items are held in abeyance, then the items could be the first public hearing items on the agenda so that the residents would have a clearer idea of what time to be present at the meeting. ROBERT GENZER, Planning and Development, was concerned with a time constraint if major modifications were made with the application, as it would not be as productive for staff to have to change the Notification and abey it for 30 days. He suggested tabling the item, which would allow the applicant time to meet with residents, make any necessary changes and then present it to staff. Staff could then appropriately notify the residents of what is actually being proposed and would then review those proposed changes. The normal timeframe on an application that is able to go forward is 45 days from the initial application to the Planning Commission meeting. MR. FIELD opposed tabling the item, as the applicant has been working with everyone and a Site Plan would be submitted as soon as it is completed. MR. CLAPSADDLE agreed with MR. GENZER'S comments on tabling the item. COMMISSIONER McSWAIN stressed the fact that the applicant has a history of operating in this manner and concurred with MR. GENZER on tabling the item.

(6:05)



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

**SUBJECT:**

Approval of the minutes of the July 22, 2004, Planning Commission Meeting

**MOTION:**

**NIGRO - APPROVED – UNANIMOUS with McSWAIN abstaining as she was not present at the aforementioned meeting and GOYNES excused**

**MINUTES:**

There was no discussion.

(6:05)

1-46



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

**CHAIRMAN TRUESDELL announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.**

**ACTIONS:**

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

**CHAIRMAN TRUESDELL read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.**

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDA ITEM.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

**CHAIRMAN TRUEDELL noted the Rules of Conduct.**

**PLANNING COMMISSION MEETING RULES OF CONDUCT.**

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**TMP-4819 - TENTATIVE MAP - BRADLEY ROAD/ AZURE AVENUE - APPLICANT: CARLOS ESCAPA - OWNER: NEW YORK PLASTICS, LLC** - Request for a Tentative Map FOR A 14-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 2.72 acres adjacent to the northwest corner of Bradley Road and Azure Drive (APN 125-25-101-010, 011, 014 and 015), R-E (Residence Estates) Zone under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units Per Acre), Ward 6 (Mack).

**P.C.: FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED** subject to conditions Consent Item 1 [TMP-4819] and Item 2 [TMP-4839] and **APPROVED** Consent Item 6 [ANX-4777] – **UNANIMOUS** with McSWAIN abstaining on Item 6 [ANX-4777] as her firm is doing work for Sterling Development and NIGRO abstaining on Item 6 [ANX-4777] as his firm is currently in litigations with Sterling Development

**This is Final Action**

**MINUTES:**

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:31 – 6:33)

1-866



PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 1 – TMP-4819

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Rezoning ZON-3775, Waiver WVR-3793, Variance VAR-3946 and Site Development Plan Review SDR-3784.
3. Street names must be provided in accord with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

5. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-3775, Site Development Plan Review SDR-3784 and all other subsequent site-related actions.
6. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**TMP-4839 - TENTATIVE MAP - ALTESSA AT THE VISTAS - APPLICANT: WRG DESIGN, INC. - OWNER: CHATEAU SUMMERLIN, LLC - Request for a Tentative Map FOR A 280-UNIT CONDOMINIUM SUBDIVISION on 13.14 acres adjacent to the southeast corner of Far Hills Avenue and Carriage Hill Drive (APN 137-26-310-001) P-C (Planned Community) Zone, Ward 2 (Wolfson).**

**P.C.: FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED subject to conditions Consent Item 1 [TMP-4819] and Item 2 [TMP-4839] and APPROVED Consent Item 6 [ANX-4777] – UNANIMOUS with McSWAIN abstaining on Item 6 [ANX-4777] as her firm is doing work for Sterling Development and NIGRO abstaining on Item 6 [ANX-4777] as his firm is currently in litigations with Sterling Development**

**This is Final Action**

**MINUTES:**

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:31 – 6:33)

1-866

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 2 – TMP-4839

**CONDITIONS:**

Planning and Development

1. A Home Owners Association shall be created that will be responsible for the common areas of the development.
2. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area included in the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
3. All development shall conform to the Conditions of Approval for City Referral Group review (CRG-1180), the Summerlin West Development Agreement (DA-0001-96) and the Summerlin Development Standards. This includes the requirement to submit a letter waiving the residential adjacency standards of the Code.
4. Street names must be provided in accordance with the City's Street Naming Regulations.
5. The development shall comply with all City Codes and State Subdivision Statutes.

Public Works

6. Change "Clark County" to "City of Las Vegas" in both the header and the utility services note.
7. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid prior to the recordation of a Final Map for this site.
8. A note must be placed on the final map that on-site sewers are private and are to be privately maintained.
9. An update to the Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 2 – TMP-4839

**CONDITIONS – Continued:**

construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

10. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**TMP-4838 - TENTATIVE MAP - THE VILLAGE OF CENTENNIAL SPRINGS - APPLICANT: THE KEITH COMPANIES, INC. - OWNER: CARINA CORPORATION -**  
Request for a Tentative Map FOR AN 18 LOT MIXED USE SUBDIVISION on 41.02 acres adjacent to the southwest corner of Farm Road and Tule Springs Road (APN 125-17-702-002), T-C (Town Center) Zone, Ward 6 (Mack).

**P.C.: FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 18 [GPA-4631], Item 19 [ZON-4635], Item 20 [SDR-4638], Item 27 [MOD-4632], Item 28 [WVR-4754] and Item 29 [SDR-4751] to 9/09/2004 Planning Commission meeting, Item 3 [TMP-4838], Item 26 [SDR-4619], Item 30 [ZON-4828], Item 31 [SDR-4837], Item 47 [WVR-4883], and Item 48 [SDR-4832] to 9/23/2004 Planning Commission meeting, WITHDRAW WITHOUT PREJUDICE Item 4 [TMP-4842], Item 5 [TMP-4843] and Item 40 [SUP-4834], TABLE Item 16 [ZON-4623] and Item 17 [SDR-4626], and STRIKE Item 49 [MOD-4879] – UNANIMOUS**

**MINUTES:**

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:31 – 6:33)

1-866

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**TMP-4842 - TENTATIVE MAP - THE VILLAGE OF CENTENNIAL SPRINGS #5-  
APPLICANT: THE KEITH COMPANIES, INC. - OWNER: CARINA CORPORATION -**  
Request for a Tentative Map FOR A 42 UNIT CONDOMINIUM SUBDIVISION on 1.22 acres  
south of Farm Road and west of Tule Springs Road (a portion of APN 125-17-702-002), T-C  
(Town Center) Zone, Ward 6 (Mack).

**P.C.: FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

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**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 18 [GPA-4631], Item 19 [ZON-4635], Item 20 [SDR-4638], Item 27 [MOD-4632], Item 28 [WVR-4754] and Item 29 [SDR-4751] to 9/09/2004 Planning Commission meeting, Item 3 [TMP-4838], Item 26 [SDR-4619], Item 30 [ZON-4828], Item 31 [SDR-4837], Item 47 [WVR-4883], and Item 48 [SDR-4832] to 9/23/2004 Planning Commission meeting, WITHDRAW WITHOUT PREJUDICE Item 4 [TMP-4842], Item 5 [TMP-4843] and Item 40 [SUP-4834], TABLE Item 16 [ZON-4623] and Item 17 [SDR-4626], and STRIKE Item 49 [MOD-4879] – UNANIMOUS**

**MINUTES:**

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:31 – 6:33)

1-866

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**TMP-4843 - TENTATIVE MAP - THE VILLAGE OF CENTENNIAL SPRINGS #12 - APPLICANT: THE KEITH COMPANIES, INC. - OWNER: CARINA CORPORATION - Request for a Tentative Map FOR AN 18-LOT SINGLE FAMILY SUBDIVISION on 1.58 acres south of Farm Road and west of Tule Springs Road (a portion of APN 125-17-702-002), T-C (Town Center) Zone, Ward 6 (Mack).**

**P.C.: FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

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**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

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**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 18 [GPA-4631], Item 19 [ZON-4635], Item 20 [SDR-4638], Item 27 [MOD-4632], Item 28 [WVR-4754] and Item 29 [SDR-4751] to 9/09/2004 Planning Commission meeting, Item 3 [TMP-4838], Item 26 [SDR-4619], Item 30 [ZON-4828], Item 31 [SDR-4837], Item 47 [WVR-4883], and Item 48 [SDR-4832] to 9/23/2004 Planning Commission meeting, WITHDRAW WITHOUT PREJUDICE Item 4 [TMP-4842], Item 5 [TMP-4843] and Item 40 [SUP-4834], TABLE Item 16 [ZON-4623] and Item 17 [SDR-4626], and STRIKE Item 49 [MOD-4879] – UNANIMOUS**

**MINUTES:**

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:31 – 6:33)

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**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ANX-4777 - ANNEXATION - APPLICANT: STERLING DEVELOPMENT – OWNER: QUARTERHORSE FALLS ESTATES, LLC** - Petition to annex property generally located on the southeast corner of Iron Mountain Road and Maverick Street (APN 125-11-503-001, 002; 125-11-507-002, and 004), containing approximately 14.48 acres, Ward 6 (Mack).

**THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

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**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

**MOTION:**

**NIGRO – APPROVED** subject to conditions Consent Item 1 [TMP-4819] and Item 2 [TMP-4839] and **APPROVED** Consent Item 6 [ANX-4777] – **UNANIMOUS** with McSWAIN abstaining on Item 6 [ANX-4777] as her firm is doing work for Sterling Development and NIGRO abstaining on Item 6 [ANX-4777] as his firm is currently in litigations with Sterling Development

**This item will be forwarded to City Council in Ordinance form**

**MINUTES:**

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:31 – 6:33)

1-866



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE \_ SDR-4740 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: M A R, LLC - Request for a Site Development Plan Review and a Waiver of Downtown Centennial Plan Parking Lot Landscaping Standards FOR A PROPOSED PARKING LOT on 0.26 acres at 829 South Sixth Street (APN 139-34-410-204), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).**

**P.C.: FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED** subject to conditions, deleting Condition 4 and amending the following condition:

3. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center in the south and west perimeter buffer areas and a minimum of four five-gallon shrubs for each tree within provided planters.

**– UNANIMOUS**

**This is Final Action**

NOTE: Chairman Truesdell stated that although he owns property in the downtown area, it is not located within the Notification area. He felt that there was no economical affect on the proposed project, so he would vote on this item.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 7 – SDR-4740

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that staff received a revised Site Plan today. The applicant has agreed to provide additional landscaping along the north side of the building in exchange for a reduced buffer without trees. Staff would recommend approval of the Waiver from providing the required streetscape along Hoover Avenue if a conforming buffer is provided along the south property line, as the configuration of the right-of-way does not permit a full 11-foot wide sidewalk and five-foot amenity zone. In addition, it is recommended that the applicant be exempt from providing the contrasting sidewalk treatment at the intersection until such time as Hoover Avenue is reconfigured. MR. CLAPSADDLE then stated, for the record, changes staff recommended with Condition 3 and Condition 4. Staff would also like to maintain Condition 6 as is.

RON REYNOLDS, co-owners of M A R, LLC, 823 Las Vegas Boulevard South and 829 Fifth Street, concurred with the City and its vision for the Downtown area. He gave a brief overview of the proposed project by stating the proposed project involved the demolition of the existing building on the site and the development of a surface parking lot with 29 spaces. The new parking lot would provide additional parking for the office building on the abutting parcel to the north, and for a new multistory office building being developed by the applicant at 823 South Las Vegas Boulevard. He pointed out that one of the requirements is to have the entrance gates to the parking lot on Sixth Street and at the exit to remain open during the day, so there would be no need for electricity. MARGO WHEELER, Planning and Development, clarified for MR. REYNOLDS that Condition 10 exists because it is a Code standard. If the applicant planned to install new utilities but not underground, then a Waiver of the Downtown Centennial Plan would be required and approved by the City Council. COMMISSIONER EVANS confirmed with MR. REYNOLDS that he concurred with staff's recommendations.

MICHELLE TIANKO, Architect, 2480 E. Tompkins Avenue, reiterated MR. REYNOLDS' comments. CHAIRMAN TRUESDELL clarified for MS. TIANKO that as the application goes forward, should a Waiver be required, then the applicant would be agreeing to file such a Waiver.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:37 – 6:46)

**1-1083**

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 7– SDR-4740

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and landscape plan, date stamped 08/12/04, except as amended by conditions herein.
3. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center in the perimeter buffer areas and a minimum of four five-gallon shrubs for each tree within provided planters.
4. The Waivers from the requirement for landscape islands within the parking lot area and for a landscape buffer abutting the alley at the rear of the property are hereby approved.
5. The Waiver from providing the required streetscape treatment along Hoover Avenue is hereby approved, due to the constricted width of the public right-of-way. The streetscape treatment along Hoover Avenue shall be required at such time as the street is reconfigured to allow a full-width sidewalk and amenity zone in accordance with the Downtown Centennial Plan.
6. Two shade trees shall be required in the public right-of-way, flanking the driveway on Sixth Street. The shade trees shall be substituted for the palm trees required by the Downtown Centennial Plan in order to continue the existing pattern of shade trees along Sixth Street.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Any use of turf in the landscape areas shall be limited to a maximum of 12.5% of the overall landscape area. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
8. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or service panel location.
9. Utilities and power service lines in alleys shall be located underground; the property owner shall be required to provide for their proportionate share of the utility relocation and alleyway treatment pursuant to a schedule as adopted by City Council.
10. All City Code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 7– SDR-4740

**CONDITIONS – Continued:**

Public Works

11. Provide a copy of a recorded Joint Access Agreement between the parcels comprising this site prior to the issuance of any permits. Alternatively, record a Map or other legal process to join the parcels; if mapping or legal joining is selected it shall record prior to the issuance of any permits for this site.
12. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
13. The proposed access driveways must be a minimum of 24' feet wide or designated and delineated as one-way drives. The driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222A. Also the security entry gates proposed for this site shall remain fully open during the hours of business operation, the installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.
14. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
15. Landscape and maintain all unimproved right-of-way on 6<sup>th</sup> Street and Hoover Avenue adjacent to this site.
16. Submit an Encroachment Agreement for all private improvements located in the 6<sup>th</sup> Street and Hoover Avenue public right-of-way adjacent to this site prior to occupancy of this site.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**RQR-4664 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: NEVADA COMMERCE BANK - Required Two Year Review of an approved Special Use Permit (U-0023-95) WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3200 Valley View Boulevard (APN 162-08-410-018), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).**

**IF APPROVED: C.C.: 10/06/04**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED subject to conditions – Motion carried with STEINMAN voting NO**

**To be heard by the City Council on 10/06/2004**

**MINUTES:**

CHAIRMAN TRUESDELL declared the public hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that this is a required two-year review of an existing billboard and staff recommended approval.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 8 – RQR-4664

**MINUTES – Continued:**

RON MOYER, Clear Channel Outdoor, 2880 Mead Avenue, Suite 350, agreed with staff's recommendations. He added that the area is business and light industrial with very little residential, and asked that the Commission approved the continuation of the billboard in this area. He felt that the billboard was appropriate for this area.

COMMISSIONER STEINMAN disagreed with MR. MOYER and stated that this is commercial property that has two nice looking buildings on it with good landscaping. He felt that this site had mass clutter, and the billboard is in the wrong location. He pointed out that Clear Channel had dual advertising, which is not permitted by Code. MR. CLAPSADDLE clarified for COMMISSIONER STEINMAN that Condition 4 alleviates dual advertising, as only one advertising sign is permitted per sign face. He added that although this condition is not part of the Code yet, the condition has been placed on applications at times if applicable.

COMMISSIONER McSWAIN stated that one of her continual concerns is the location and quality of billboard signage. She looks forward to seeing the implementation of some of the new Code suggestions from a recent workshop, as it would assist in protecting the nice properties. She added that she would support this application.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the public hearing closed.

(6:48 – 6:52)

**1-1475**

**CONDITIONS:**

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 8 – RQR-4664

**CONDITIONS – Continued:**

4. Only one advertising sign is permitted per sign face.
5. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
6. All City Code requirements and design standards of all City Departments shall be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SUP-4811 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: MILTON SCHWARTZ REVOCABLE FAMILY TRUST, ET AL - Request for a Special Use Permit FOR A 40 FOOT HIGH, 12 FOOT X 24 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3311 Meade Avenue (APN 162-08-303-004), M (Industrial) Zone, Ward 1 (Moncrief).**

**IF APPROVED: C.C.: 10/06/04**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED subject to conditions on Item 9 [SUP-4811], Item 10 [SUP-4812], Item 11 [SDR-4823], Item 13 [SDR-4835] and Item 15 [VAC-4571] – Motion carried with DAVENPORT abstaining on Item 13 [SDR-4835] as the owner of the property is Robert O’Neil**

**To be heard by the City Council on 10/06/2004**

**MINUTES:**

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.



PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 9 – SUP-4811

**MINUTES – Continued:**

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 9 [SUP-4811], Item 10 [SUP-4812], Item 11 [SDR-4823], Item 13 [SDR-4835] and Item 15 [VAC-4571].

DAVID CLAPSADDLE, Planning and Development Department, stated that staff requested Item 7 [SDR-4740] and Item 12 [SDR-4827] be removed from One Motion/One Vote, as there were some conditions that needed clarification. Regarding Item 13 [SDR-4811], the applicant has agreed to all of the amended conditions, with the exception of the one regarding the overstreet pedestrian passageways. Staff agreed to deleting this condition and requested that this item remain as part of the One Motion/One Vote items.

COMMISSIONER STEINMAN requested Item 8 [RQR-4664] and Item 14 [SDR-4841] be pulled from One Motion/One Vote so a discussion could take place.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 9 [SUP-4811], Item 10 [SUP-4812], Item 11 [SDR-4823], Item 13 [SDR-4835] and Item 15 [VAC-4571].

(6:33 – 6:37)

**1-948**

**CONDITIONS:**

Planning and Development

1. The off-premise advertising sign (billboard) supporting structure shall have finish materials that complement the existing on-site building.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. The Special Use Permit shall be reviewed in five (5) year at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
4. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 9 – SUP-4811

**CONDITIONS – Continued:**

5. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
6. Only one advertising sign is permitted per sign face.
7. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

8. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SUP-4812 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: MILTON SCHWARTZ REVOCABLE FAMILY TRUST, ET AL - Request for a Special Use Permit FOR A 40 FOOT HIGH, 12 FOOT X 24 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3542 Sirius Avenue (APN 162-08-303-027), M (Industrial) Zone, Ward 1 (Moncrief).**

**IF APPROVED: C.C.: 10/06/04**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED subject to conditions on Item 9 [SUP-4811], Item 10 [SUP-4812], Item 11 [SDR-4823], Item 13 [SDR-4835] and Item 15 [VAC-4571] – Motion carried with DAVENPORT abstaining on Item 13 [SDR-4835] as the owner of the property is Robert O’Neil**

**To be heard by the City Council on 10/06/2004**

**MINUTES:**

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 10 – SUP-4812

**MINUTES – Continued:**

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 9 [SUP-4811], Item 10 [SUP-4812], Item 11 [SDR-4823], Item 13 [SDR-4835] and Item 15 [VAC-4571].

DAVID CLAPSADDLE, Planning and Development Department, stated that staff requested Item 7 [SDR-4740] and Item 12 [SDR-4827] be removed from One Motion/One Vote, as there were some conditions that needed clarification. Regarding Item 13 [SDR-4811], the applicant has agreed to all of the amended conditions, with the exception of the one regarding the overstreet pedestrian passageways. Staff agreed to deleting this condition and requested that this item remain as part of the One Motion/One Vote items.

COMMISSIONER STEINMAN requested Item 8 [RQR-4664] and Item 14 [SDR-4841] be pulled from One Motion/One Vote so a discussion could take place.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 9 [SUP-4811], Item 10 [SUP-4812], Item 11 [SDR-4823], Item 13 [SDR-4835] and Item 15 [VAC-4571].

(6:33 – 6:37)

**1-948**

**CONDITIONS:**

Planning and Development

1. The off-premise advertising sign (billboard) supporting structure shall have finish materials that complement the existing on-site building.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. The Special Use Permit shall be reviewed in five (5) year at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
4. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 10 – SUP-4812

**CONDITIONS – Continued:**

5. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
6. Only one advertising sign is permitted per sign face.
7. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

8. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SDR-4823 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED CITY PARK on 13.00 acres adjacent to the west side of Cliff Shadows Parkway, approximately 660 feet south of Alexander Road (a portion of APN 137-12-101-008), C-V (Civic) Zone, Ward 4 (Brown).**

**C.C.: 10/06/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED subject to conditions on Item 9 [SUP-4811], Item 10 [SUP-4812], Item 11 [SDR-4823], Item 13 [SDR-4835] and Item 15 [VAC-4571] – UNANIMOUS with DAVENPORT abstaining on Item 13 [SDR-4835] as the owner of the property is Robert O’Neil**

**To be heard by the City Council on 10/06/2004**

**MINUTES:**

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 11 – SDR-4823

**MINUTES – Continued:**

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 9 [SUP-4811], Item 10 [SUP-4812], Item 11 [SDR-4823], Item 13 [SDR-4835] and Item 15 [VAC-4571].

DAVID CLAPSADDLE, Planning and Development Department, stated that staff requested Item 7 [SDR-4740] and Item 12 [SDR-4827] be removed from One Motion/One Vote, as there were some conditions that needed clarification. Regarding Item 13 [SDR-4811], the applicant has agreed to all of the amended conditions, with the exception of the one regarding the overstreet pedestrian passageways. Staff agreed to deleting this condition and requested that this item remain as part of the One Motion/One Vote items.

COMMISSIONER STEINMAN requested Item 8 [RQR-4664] and Item 14 [SDR-4841] be pulled from One Motion/One Vote so a discussion could take place.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 9 [SUP-4811], Item 10 [SUP-4812], Item 11 [SDR-4823], Item 13 [SDR-4835] and Item 15 [VAC-4571].

(6:33 – 6:37)

**1-948**

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped August 11, 2004, except as amended by conditions herein.
3. The proposed trail through the site shall be constructed as an equestrian trail.
4. Conformance to all applicable Conditions of approval for Rezoning ZON-2603.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

Public Works

6. Construct half-street improvements including appropriate overpaving, if legally able on Cliff Shadows Parkway and Alexander Road adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 11 – SDR-4823

**CONDITIONS – Continued:**

- shall be restored at its original location and to its original width concurrent with development of this site.
7. An update to the Lone Mountain West Master Traffic Impact Analysis or other information acceptable to the Traffic Engineering Division must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings.
  8. A Drainage Plan and Technical Drainage Study or other information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SDR-4827 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: THE RANDALL COMPANY - OWNER: FORT APACHE/CHEYENNE HOLDINGS, LLC - Request for a Site Development Plan Review FOR A 18,720 SQUARE FOOT OFFICE DEVELOPMENT AND FOR A WAIVER OF FOUNDATION LANDSCAPING OF THE COMMERCIAL DEVELOPMENT STANDARDS on 1.75 acres adjacent to the west side of Fort Apache Road approximately 430 feet north of Cheyenne Avenue (APN 138-07-801-010), U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution of Intent to O (Office), Ward 4 (Brown).**

**C.C.: 10/06/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**STEINMAN – APPROVED subject to conditions and amending the following conditions:**

3. All development shall be in conformance with the site plan, landscape plan and building elevations *presented to the Planning Commission at the August 26, 2004 meeting.*
4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect parking lot landscape finger islands and the provision of the minimum required 24-inch box trees with four 5-gallon and four 1-gallon shrubs within the fingers.

**– UNANIMOUS**

**To be heard by the City Council on 10/06/2004**

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 12 – SDR-4827

**MOTION – Continued:**

NOTE: Chairman Truesdell stated that JMA Architecture Studios is doing limited consulting for his company, but no discussions have taken place regarding this item. He felt there was not any conflict, so he would vote on this item.

**MINUTES:**

CHAIRMAN TRUESDELL declared the public hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that this application meets the standards of the Code, with the exception of the foundation landscaping requirements. Staff questioned why the six-foot standard around the building could not be met.

SCOTT BROWN, JMA Architecture Studios, 10150 Covington Cross, appeared on behalf of the applicants, Pedro Latch and Steve Randall. MR. BROWN concurred with staff's recommendations, with the exception of the foundation landscaping requirements. Using the overhead, he gave a brief overview of the proposed project. He pointed out that one of the goals was to be sensitive to the residents, so the proposed office buildings on this property are smaller office buildings. A neighborhood meeting was held two weeks ago, and the residents were pleased with the aesthetics and landscaping on the project. MR. BROWN then requested that the Waiver on the foundation landscaping requirements be approved.

MR. CLAPSADDLE confirmed with MR. BROWN that the Site Plan at the meeting was different than what was originally submitted, and it also reflected additional landscaping. MR. CLAPSADDLE informed COMMISSIONER STEINMAN that a Waiver would still be required for foundational landscaping on the side of the building. Staff did not object to the revised Site Plan but requested that the applicant submit the revised Site Plan prior to City Council. COMMISSIONER STEINMAN stated the revised Site Plan looks much better than the original. In response to COMMISSIONER STEINMAN'S question regarding a resident's view of the carport and the height of the rear block wall. MR. BROWN guaranteed that the residents would not see the carport. The residents agreed to having an 8-foot tall carport with an added course of block to increase the height of the block wall and to alleviate a view of the carport. MR. BROWN also agreed that the block wall would be upgraded, as COMMISSIONER STEINMAN felt that it was unattractive. MR. BROWN stated that the Site Plan would be submitted to staff the very next day. COMMISSIONER EVANS expressed that it is incumbent on the applicant to ensure that staff receives pertinent information prior to the public meetings, as the Commission relies on staff to access the proposed projects and make recommendations to the Commission. MR. BROWN concurred.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the public hearing closed.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 12 – SDR-4827

**MINUTES – Continued:**

(6:52 – 7:01)  
**1-1642**

**CONDITIONS:**

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan, landscape plan and building elevations, date stamped July 13, 2004 except as amended by conditions herein.
4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect parking lot landscape finger islands and the provision of the minimum required 24-inch box trees with four 5-gallon and four 1-gallon shrubs within the fingers. Foundation landscaping shall be provided in conformance to Code standards.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems will be cause for revocation of a business license.]
6. All mechanical equipment, air conditioners and trash areas shall be fully screened from the view of abutting streets.
7. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building, including the bank teller and ATM drive-through. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 12 – SDR-4827

**CONDITIONS – Continued:**

10. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

11. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the south boundary of this site prior to construction of hard surfacing (asphalt or concrete).
12. Driveways shall be designed, located and constructed with 25 feet ingress and egress radii in accordance with Standard Drawing #222A.
13. Site development to comply with all applicable conditions of approval for ZON-2576 and all other subsequent site-related actions.

Neighborhood Services

14. The applicant will obtain the permission of the owner of parcel #138-07-816-007 to raise the existing block wall one course of brick. The applicant will submit to the city an engineers report on the wall prior to construction. With City approval the applicant will raise the wall one course of bricks.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SDR-4835 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: HENRY BRENT COMPANY AND STEADFAST AMX I AND STEADFAST AMX II, LLC - OWNER: THIRD STREET PROMENADE, LLC - Request for a Site Development Plan Review FOR A PROPOSED VALET OPERATION on 0.73 acres of Third Street between Ogden Avenue and Stewart Avenue (APN 139-34-510-012 through 019 and 030), C-2 (General Commercial) Zone, Ward 5 (Weekly).**

**P.C.: FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED subject to conditions on Item 9 [SUP-4811], Item 10 [SUP-4812], Item 11 [SDR-4823] and Item 15 [VAC-4571] and subject to amended conditions and adding the following conditions on Item 13 [SDR-4835]:**

- The project shall be reviewed in one year by the City Council.
- All physical improvements over the vacated right-of-way shall require administrative site development plan review.
- The Fire Department and Department of Building and Safety occupancy limitations set on the bridge shall be enforced by the applicant.
- Public sidewalks shall be closed only during private events.
- Equipment for staging shall be stored off 3<sup>rd</sup> Street.
- Stages are to be set up and removed within 48 hours of events.
- Expanded sidewalks shall be constructed within six months of approval.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 13 – SDR-4835

**MOTION – Continued:**

– **UNANIMOUS** carried with **DAVENPORT** abstaining on Item 13 [SDR-4835] as the owner of the property is Robert O’Neil, and he may be the individual that has a business agreement with him.

**This is Final Action**

NOTE: After Vice Chairman Nigro made the initial motion for approval, Commissioner Davenport informed Deputy City Attorney Bryan Scott that as a caution, he needed to abstain on Item 13 [SDR-4835], as he realized there may be a potential conflict. Thereafter, a motion to reconsider Item 13 was made by Vice Chairman Nigro so Commissioner Davenport could abstain.

**MINUTES:**

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 9 [SUP-4811], Item 10 [SUP-4812], Item 11 [SDR-4823], Item 13 [SDR-4835] and Item 15 [VAC-4571].

DAVID CLAPSADDLE, Planning and Development Department, stated that staff requested Item 7 [SDR-4740] and Item 12 [SDR-4827] be removed from One Motion/One Vote, as there were some conditions that needed clarification. Regarding Item 13 [SDR-4811], the applicant has agreed to all of the amended conditions, with the exception of the one regarding the over street pedestrian passageways. Staff agreed to delete this condition and requested the item remain as part of the One Motion/One Vote items.

COMMISSIONER STEINMAN requested Item 8 [RQR-4664] and Item 14 [SDR-4841] be pulled from One Motion/One Vote so a discussion could take place.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 9 [SUP-4811], Item 10 [SUP-4812], Item 11 [SDR-4823], Item 13 [SDR-4835] and Item 15 [VAC-4571].

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 13 – SDR-4835

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plans, date stamped 08/16/04, except as amended by conditions herein.
3. All development shall conform to the Conditions of Approval for the Vacation application (VAC-3926) that was previously approved for the site.
4. This Site Development Plan shall be reviewed in two (2) years, at which time the City Council may require the full implementation of the Downtown Centennial Plan streetscape and landscape treatment and/or other modifications and improvements to the vacated right-of-way as may be appropriate. The applicant shall be responsible for notification costs of the review.
5. The new sidewalk areas at the intersections of Ogden and Stewart Avenues shall conform to the decorative treatment specified in the Downtown Centennial Plan and shall be installed within six months from the date of approval.
6. Any new utility or power service line provided to the site shall be placed underground from the property line to the point of on-site connection or service panel location.
7. No habitable structures shall be constructed in the vacated right-of-way.
8. All City Code requirements and design standards of all City departments must be satisfied.
9. Third Street Promenade, LLC (“TSP”) and the Henry Brent Company, (“HB”) shall be responsible for the site improvement plans submitted under Site Development Plan Review, SDR-4835, and “TSP” and “HB” shall, at its expense, provide, maintain, operate, repair, clean: all driveways, valet parking areas, walkways, entrances, exits, areas of ingress and egress, landscaped areas, provide special events, lighting facilities, signage, traffic control, security, as necessary in furtherance of the special event area, streetscape promenade or other activities located within the vacated portion of Third Street between Ogden and Stewart Avenues. The operation shall include, without limitation, keeping the same in good condition and repair and keeping the same reasonable free and clear of foreign objects, papers, debris, and obstructions, standing water, snow and ice.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 13 – SDR-4835

**CONDITIONS – Continued:**

Public Works

10. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
11. Vacation (VAC-3926) must record prior to the issuance of any permits.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SDR-4841 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: FURNITURE MART LAND HOLDINGS II, LLC - OWNER: WMCI ASSOCIATES, LLC - Request for a Site Development Plan Review FOR A 345,670 SQUARE FOOT TEMPORARY EXHIBIT SPACE on 30.2 acres at 495 South Grand Central Parkway (APN 139-33-610-004, 139-33-511-003 and 004), PD (Planned Development) Zone, Ward 5 (Weekly).**

**C.C.: 10/06/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**GOYNES – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 10/06/2004**

**MINUTES:**

CHAIRMAN TRUESDELL declared the public hearing open.

DAVID CLAPSADDLE, Planning and Development, confirmed that staff recommended approval.

ROBERT HALLGATE, Director, Planning and Development, WMCI Associates, concurred with staff's conditions. In addition, he gave a brief overview for COMMISSIONER STEINMAN and informed him that the current building under construction would be 1,300,000 square feet, which would be completed in the first quarter of 2005. The first show is planned for

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 14 – SDR-4841

**MINUTES – Continued:**

July 2005. He also added that this request would give approximately an additional 350,000 square feet of exhibit space. COMMISSIONER STEINMAN then asked if the applicant planned to build additional buildings as part of the complex. MR. HALLGATE replied that Phase II would compile 1.6 million square feet. Phase III is approximately 1.5 million square feet. Phase IV, the Convention Center space, was originally 1 million square feet. The location is being changed so the square footage would increase to approximately 3 million square feet. MR. HALLGATE then stated that the temporary pavilion facility is located to the north of Discovery Drive. There has been an excess overflow, and the plan is to have the tenants in the Phase II building. ROBERT GENZER, Planning and Development, stated that there have been numerous meetings with the applicant regarding this project. Although staff understands the need, there is a concern with the continued use of temporary structures at this particular location. He stressed Condition 5, which gives the City Council the right to revoke the five-year approval at the two-year period review should there be changes. MR. GENZER also referenced how upcoming nearby projects, such as the Union Park development, would not want to have temporary structures for a long-term period. COMMISSIONER STEINMAN expressed his concern for the ongoing appearance of these temporary structures. MR. HALLGATE replied that the upcoming new permanent facilities will eventually eliminate these temporary structures and it will be exciting for everyone. He then clarified for CHAIRMAN TRUESDELL that the coverall structure has a 15-year life expectancy, which exceeds the timeframe the structure would be needed.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the public hearing closed.

(7:01 – 7:08)

1-2037

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. All development shall be in conformance with the site plan and building elevations date stamped 08/26/04, except as amended by conditions herein.
4. Site development to comply with all applicable conditions of approval for Z-0100-97 (3) and all other subsequent site-related actions.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 14 – SDR-4841

**CONDITIONS – Continued:**

5. Approval of this site plan is for 5 years, with a Required Review at two years from the Final Action of this Site Development Plan Review. The City Council reserves the right to revoke the 5 year approval at the two year period if conditions in the area change such that the temporary structures become incompatible with surrounding development.
6. A landscaping plan must be submitted prior to the time application is made for a building permit, to reflect a minimum of 204 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
7. The landscape plan submitted prior to application is made for a building permit will show that no landscaped area will be turf.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened (via structural components and landscaping) in views from the abutting streets and highways.
10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building.
11. A Master Sign Plan shall be submitted for approval of the Planning Commission prior to the issuance of a Certificate of Occupancy for any building on the site.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. A revised traffic study shall be submitted prior to application being made for a building permit for the temporary structures and parking.

**Public Works**

14. Dedicate those portions of Discovery Drive necessary for the required bus turn out and to align with the existing portion of Discovery Drive west of this site concurrent with onsite development of this site.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 14 – SDR-4841

**CONDITIONS – Continued:**

15. Construct full-width improvements on Discovery Drive (aka World Drive) through this site concurrent with development of any portion of the project that abuts Discovery Drive. Also, concurrent with development, remove all substandard improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City standards
16. All temporary trailers shall be connected to the City of Las Vegas public sewer system.
17. Meet with the Traffic Engineering Representative in Land Development to determine the placement of proposed driveway access acceptable to the City Traffic Engineer prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
18. The traffic study (including parking analysis) shall be completed and approved prior to the start of phase II.
19. A Drainage Plan and Technical Drainage Study for the parcel must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**VAC-4571 - VACATION - PUBLIC HEARING - APPLICANT: CDPCN - OWNER: CITY OF LAS VEGAS HOUSING AUTHORITY** - Request to for a Petition of Vacation to vacate a public drainage easement generally located north of Monroe Avenue, east of "J" Street, Ward 5 (Weekly).

**SET DATE: 09/15/04**

**C.C.: 10/06/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED** subject to conditions on Item 9 [SUP-4811], Item 10 [SUP-4812], Item 11 [SDR-4823], Item 13 [SDR-4835] and Item 15 [VAC-4571] – **UNANIMOUS** with **DAVENPORT** abstaining on Item 13 [SDR-4835] as the owner of the property is Robert O'Neil

**To be heard by the City Council on 10/06/2004**

**MINUTES:**

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 15 – VAC-4571

**MINUTES – Continued:**

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 9 [SUP-4811], Item 10 [SUP-4812], Item 11 [SDR-4823], Item 13 [SDR-4835] and Item 15 [VAC-4571].

DAVID CLAPSADDLE, Planning and Development Department, stated that staff requested Item 7 [SDR-4740] and Item 12 [SDR-4827] be removed from One Motion/One Vote, as there were some conditions that needed clarification. Regarding Item 13 [SDR-4811], the applicant has agreed to all of the amended conditions, with the exception of the one regarding the overstreet pedestrian passageways. Staff agreed to deleting this condition and requested that this item remain as part of the One Motion/One Vote items.

COMMISSIONER STEINMAN requested Item 8 [RQR-4664] and Item 14 [SDR-4841] be pulled from One Motion/One Vote so a discussion could take place.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 9 [SUP-4811], Item 10 [SUP-4812], Item 11 [SDR-4823], Item 13 [SDR-4835] and Item 15 [VAC-4571].

(6:33 – 6:37)

**1-948**

**CONDITIONS:**

Planning and Development

1. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
2. All development shall be in conformance with code requirements and design standards of all City departments.
3. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, conditions that require modifications to public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 15 – VAC-4571

**CONDITIONS – Continued:**

- easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
4. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** ROBERT S. GENZER

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - ZON-4623 - REZONING - PUBLIC HEARING - APPLICANT: NEVADA HOMES GROUP - OWNER: HUALAPAI NEVADA, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE) on 5.35 acres adjacent to the southeast corner of Hualapai Way and Dorrell Lane (APN 125-19-201-001 and 003), Ward 6 (Mack).**

**C.C.: 10/06/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>11</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 18 [GPA-4631], Item 19 [ZON-4635], Item 20 [SDR-4638], Item 27 [MOD-4632], Item 28 [WVR-4754] and Item 29 [SDR-4751] to 9/09/2004 Planning Commission meeting, Item 3 [TMP-4838], Item 26 [SDR-4619], Item 30 [ZON-4828], Item 31 [SDR-4837], Item 47 [WVR-4883], and Item 48 [SDR-4832] to 9/23/2004 Planning Commission meeting, WITHDRAW WITHOUT PREJUDICE Item 4 [TMP-4842], Item 5 [TMP-4843] and Item 40 [SUP-4834], TABLE Item 16 [ZON-4623] and Item 17 [SDR-4626], and STRIKE Item 49 [MOD-4879] – UNANIMOUS**

**MINUTES:**

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

No discussion took place.

(6:31 – 6:33)

1-866



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** ROBERT S. GENZER

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - SDR-4626 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4623 - PUBLIC HEARING - APPLICANT: NEVADA HOMES GROUP - OWNER: HUALAPAI NEVADA, LLC - Request for a Site Development Plan Review FOR A 27 LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5.35 acres adjacent to the southeast corner of Hualapai Way and Dorrell Lane (APN 125-19-201-001 and 003), R-E (Residence Estates) Zone [PROPOSED: R-PD5 (Residential Planned Development – 5 Units Per Acre)], Ward 6 (Mack).**

**C.C.: 10/06/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>11</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 18 [GPA-4631], Item 19 [ZON-4635], Item 20 [SDR-4638], Item 27 [MOD-4632], Item 28 [WVR-4754] and Item 29 [SDR-4751] to 9/09/2004 Planning Commission meeting, Item 3 [TMP-4838], Item 26 [SDR-4619], Item 30 [ZON-4828], Item 31 [SDR-4837], Item 47 [WVR-4883], and Item 48 [SDR-4832] to 9/23/2004 Planning Commission meeting, WITHDRAW WITHOUT PREJUDICE Item 4 [TMP-4842], Item 5 [TMP-4843] and Item 40 [SUP-4834], TABLE Item 16 [ZON-4623] and Item 17 [SDR-4626], and STRIKE Item 49 [MOD-4879] – UNANIMOUS**

**MINUTES:**

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

No discussion took place.

(6:31 – 6:33)

1-866

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**ABEYANCE - GPA-4631 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CHARLES H. SHIELDS** - Request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan FROM: R (RURAL) TO: O (OFFICE) on 0.96 acres at 7180 West Azure Drive (APN 125-27-503-008), Ward 6 (Mack).

**C.C.: 10/06/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends this item be HELD IN ABEYANCE to the September 9, 2004 Planning Commission meeting.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable

**MOTION:**

**NIGRO** – Motion to bring forward and **HOLD IN ABEYANCE** Item 18 [GPA-4631], Item 19 [ZON-4635], Item 20 [SDR-4638], Item 27 [MOD-4632], Item 28 [WVR-4754] and Item 29 [SDR-4751] to 9/09/2004 Planning Commission meeting, Item 3 [TMP-4838], Item 26 [SDR-4619], Item 30 [ZON-4828], Item 31 [SDR-4837], Item 47 [WVR-4883], and Item 48 [SDR-4832] to 9/23/2004 Planning Commission meeting, **WITHDRAW WITHOUT PREJUDICE** Item 4 [TMP-4842], Item 5 [TMP-4843] and Item 40 [SUP-4834], **TABLE** Item 16 [ZON-4623] and Item 17 [SDR-4626], and **STRIKE** Item 49 [MOD-4879] – **UNANIMOUS**

**MINUTES:**

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:31 – 6:33)

1-866

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - ZON-4635 - REZONING RELATED TO GPA-4631 - PUBLIC HEARING - APPLICANT/OWNER: CHARLES H. SHIELDS - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.96 acres at 7180 West Azure Drive (APN 125-27-503-008), Ward 6 (Mack).**

**C.C.: 10/06/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>3</b>

**RECOMMENDATION:**

Staff recommends this item be HELD IN ABEYANCE to the September 9, 2004 Planning Commission meeting.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable

**MOTION:**

**NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 18 [GPA-4631], Item 19 [ZON-4635], Item 20 [SDR-4638], Item 27 [MOD-4632], Item 28 [WVR-4754] and Item 29 [SDR-4751] to 9/09/2004 Planning Commission meeting, Item 3 [TMP-4838], Item 26 [SDR-4619], Item 30 [ZON-4828], Item 31 [SDR-4837], Item 47 [WVR-4883], and Item 48 [SDR-4832] to 9/23/2004 Planning Commission meeting, WITHDRAW WITHOUT PREJUDICE Item 4 [TMP-4842], Item 5 [TMP-4843] and Item 40 [SUP-4834], TABLE Item 16 [ZON-4623] and Item 17 [SDR-4626], and STRIKE Item 49 [MOD-4879] – UNANIMOUS**

**MINUTES:**

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:31 – 6:33)

1-866

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - SDR-4638 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4631 AND ZON-4635 - PUBLIC HEARING - APPLICANT/OWNERS: CHARLES H. SHIELDS - Request for a Site Development Plan Review FOR A PROPOSED OFFICE PARKING LOT on 0.96 acres at 7180 West Azure Drive (APN 125-27-503-008), R-E (Residence Estates) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 6 (Mack).**

**C.C.: 10/06/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>1</b>

**RECOMMENDATION:**

Staff recommends this item be HELD IN ABEYANCE to the September 9, 2004 Planning Commission meeting.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable

**MOTION:**

**NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 18 [GPA-4631], Item 19 [ZON-4635], Item 20 [SDR-4638], Item 27 [MOD-4632], Item 28 [WVR-4754] and Item 29 [SDR-4751] to 9/09/2004 Planning Commission meeting, Item 3 [TMP-4838], Item 26 [SDR-4619], Item 30 [ZON-4828], Item 31 [SDR-4837], Item 47 [WVR-4883], and Item 48 [SDR-4832] to 9/23/2004 Planning Commission meeting, WITHDRAW WITHOUT PREJUDICE Item 4 [TMP-4842], Item 5 [TMP-4843] and Item 40 [SUP-4834], TABLE Item 16 [ZON-4623] and Item 17 [SDR-4626], and STRIKE Item 49 [MOD-4879] – UNANIMOUS**

**MINUTES:**

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:31 – 6:33)

1-866

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**ABEYANCE - GPA-4649 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/ OWNER: AQUINO BENITO ARMAND, ET AL - Request to amend a portion of the Southwest Sector Plan of the General Plan FROM: PF (PUBLIC FACILITY) TO: ML (MEDIUM-LOW DENSITY RESIDENTIAL) on 2.5 acres adjacent to the northwest corner of Michael Way and Smoke Ranch Road (APN 138-13-403-001), Ward 5 (Weekly).**

**C.C.: 10/06/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

**MOTION:**

**GOYNES – APPROVED – UNANIMOUS**

**To be heard by the City Council on 10/06/2004**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 21 [GPA-4649], Item 22 [ZON-4646], Item 23 [WVR-4846], Item 24 [VAR-4648] and Item 25 [SDR-4647].

DAVID CLAPSADDLE, Planning and Development, stated that this parcel is located on the northwest corner of Smoke Ranch Road and Michael Way. The minimum lot size is 6,500 square feet. He then gave a brief overview of the proposed project and stated that the application meets all parking, landscaping and open space requirements. No waivers are associated with this application.

MIKE LIVINGSTON, Architect, 1350 Town Center Drive, Suite 3032, Las Vegas, NV 89144, concurred with staff's recommendations and conditions.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 21 – GPA-4649

**MINUTES – Continued**

COMMISSIONER McSWAIN complimented MR. LIVINGSTON on a very nice project, but she expressed concern with traffic issues. MR. CLAPSADDLE replied that from a Planning perspective, the average trips per day generated by 14 homes is minimal and should not have an adverse impact on the neighborhood. DAVID GUERRA, Public Works, concurred with MR. CLAPSADDLE'S previous comment. He added that this item would fall under the traffic ordinance implemented this year in February. There are two Waivers of Title 18 regarding the distance separation requirements, which Public Works did not see a conflict with the design.

CHAIRMAN TRUESDELL commended the architect on the design of the project and stated he would support the application. COMMISSIONER GOYNES concurred.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 21 [GPA-4649], Item 22 [ZON-4646], Item 23 [WVR-4846], Item 24 [VAR-4648] and Item 25 [SDR-4647].

(7:08 – 7:16)  
**1-2330**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**ABEYANCE - ZON-4646 - REZONING RELATED TO GPA-4649 - PUBLIC HEARING - APPLICANT/ OWNER: AQUINO BENITO ARMAND, ET AL - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE) on 2.5 acres adjacent to the northwest corner of Michael Way and Smoke Ranch Road (APN 138-13-403-001), Ward 5 (Weekly).**

**C.C.: 10/06/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**GOYNES – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 10/06/2004**

**MINUTES:**

NOTE: See Item 21 [GPA-4649] for all related discussion on Item 21 [GPA-4649], Item 22 [ZON-4646], Item 23 [WVR-4846], Item 24 [VAR-4648] and Item 25 [SDR-4647].

(7:08 – 7:16)

**1-2330**

**CONDITIONS:**

Planning and Development

1. A General Plan Amendment (GPA4649) approved by the Planning Commission and City Council prior to any site grading and development activity on the site.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 22 – ZON-4646

**CONDITIONS – Continued:**

2. A Resolution of Intent with a two-year time limit.

Public Works

3. Dedicate an additional 10 feet of right-of-way for a total half-street width of 40 feet on Michael Way and dedicate an additional 31.5 feet for a total 54 foot radius on the northwest corner of Smoke Ranch Road and Michael Way adjacent to this site prior to the issuance of any permits.
4. Construct all incomplete half-street improvements on Smoke Ranch Road and Michael Way adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.
5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**WVR-4846 - WAIVER RELATED TO GPA-4649 AND ZON-4646 - PUBLIC HEARING - APPLICANT/OWNER: AQUINO BENITO ARMAND, ET AL - Request for a Waiver to Title 18.12.160 TO ALLOW APPROXIMATELY 157 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED AND A WAIVER OF Title 18.12.105 TO ALLOW A PRIVATE DRIVE TO BE 679 FEET WHERE 200 FEET IS THE MAXIMUM LENGTH PERMITTED on 2.5 acres adjacent to the northwest corner of Michael Way and Smoke Ranch Road (APN 138-13-403-001), R-E (Residence Estates) Zone [PROPOSED: R-PD6 (Residential Planned Development - 6 Units Per Acre)], Ward 5 (Weekly).**

**C.C.: 10/06/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**GOYNES – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 10/06/2004**

**MINUTES:**

NOTE: See Item 21 [GPA-4649] for all related discussion on Item 21 [GPA-4649], Item 22 [ZON-4646], Item 23 [WVR-4846], Item 24 [VAR-4648] and Item 25 [SDR-4647].

(7:08 – 7:16)

**1-2330**

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 23 – WVR-4846

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4646), Variance (VAR-4648), and Site Development Plan Review (SDR-4647).
2. All City Code Requirements and all City Departments design standards shall be met, other than those waived or varied through this and companion applications.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - VAR-4648 - VARIANCE RELATED TO GPA-4649, ZON-4646 AND WVR-4846 - PUBLIC HEARING – APPLICANT/ OWNER: AQUINO BENITO ARMAND, ET AL - Request for a Variance TO ALLOW A 2.5 ACRE R-PD SUBDIVISION WHERE 5.0 ACRES IS REQUIRED FOR A 14 UNIT SINGLE FAMILY RESIDENTIAL PLANNED DEVELOPMENT on 2.5 acres adjacent to the northwest corner of Michael Way and Smoke Ranch Road (APN 138-13-403-001), R-E (Residence Estates) Zone, Ward 5 (Weekly).**

**C.C.: 10/06/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**GOYNES – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 10/06/2004**

**MINUTES:**

NOTE: See Item 21 [GPA-4649] for all related discussion on Item 21 [GPA-4649], Item 22 [ZON-4646], Item 23 [WVR-4846], Item 24 [VAR-4648] and Item 25 [SDR-4647].

(7:08 – 7:16)

**1-2330**

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 24 – VAR-4648

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a General Plan Amendment (GPA-4649), Rezoning (ZON-4646) and Site Development Plan Review (SDR-4647) approved by the City Council.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - SDR-4647 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4649, ZON-4646, WVR-4846 AND VAR-4648 - PUBLIC HEARING - APPLICANT/ OWNER: AQUINO BENITO ARMAND, ET AL - Request for a Site Development Plan Review FOR A 14 UNIT SINGLE FAMILY RESIDENTIAL PLANNED DEVELOPMENT on 2.5 acres adjacent to the northwest corner of Michael Way and Smoke Ranch Road (APN 138-13-403-001), R-E (Residence Estates) Zone [PROPOSED: R-PD6 (Residential Planned Development - 6 Units Per Acre)], Ward 5 (Weekly).**

**C.C.: 10/06/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**GOYNES – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 10/06/2004**

**MINUTES:**

NOTE: See Item 21 [GPA-4649] for all related discussion on Item 21 [GPA-4649], Item 22 [ZON-4646], Item 23 [WVR-4846], Item 24 [VAR-4648] and Item 25 [SDR-4647].

(7:08 – 7:16)

**1-2330**

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 25 – SDR-4647

**CONDITIONS:**

Planning and Development

1. A General Plan Amendment (GPA-4649) from PF (Public Facility) to ML (Medium-Low Density Residential) land use designation, rezoning (ZON-4646) R-E (Residence Estates) to R-PD6 (Residential Planned Development- 6 Dwelling Units per Acre), and Variance (VAR-4648) approved by the City Council
2. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
3. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. The setbacks for this development are a minimum of 20 feet to the front of the house, 10 feet on the side, 22 feet on the corner side, and 20 feet in the rear
5. All development shall be in conformance with the site plan; landscape plan and building elevations, dated stamped August 18, 2004 except as amended by conditions herein.
6. The maximum building height allowed shall not exceed 2 stories or 35 feet whichever is less.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
11. All City Code requirements and design standards of all City departments must be met except as amended by conditions herein.
12. The applicant shall meet with Planning and Development Staff to develop an address plan prior to the issue of permits.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 25 – SDR-4647

**CONDITIONS – Continued:**

Public Works

13. The proposed gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
14. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
16. Site development to comply with all applicable conditions of approval for ZON-4646 and all other subsequent site-related actions.
17. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
18. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that non-standard private street/private drive intersections are proposed within this subdivision.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - SDR-4619 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: WEINGARTEN REALTY INVESTMENTS - Request for a Site Development Plan Review FOR TWO PROPOSED RESTAURANT PADS WITHIN AN EXISTING COMMERCIAL CENTER on 10.69 acres adjacent to the southeast corner of Decatur Boulevard and Charleston Boulevard (APN 162-06-112-005, 162-06-112-007, and a portion of 162-06-112-004), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).**

**P.C.: FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 18 [GPA-4631], Item 19 [ZON-4635], Item 20 [SDR-4638], Item 27 [MOD-4632], Item 28 [WVR-4754] and Item 29 [SDR-4751] to 9/09/2004 Planning Commission meeting, Item 3 [TMP-4838], Item 26 [SDR-4619], Item 30 [ZON-4828], Item 31 [SDR-4837], Item 47 [WVR-4883], and Item 48 [SDR-4832] to 9/23/2004 Planning Commission meeting, WITHDRAW WITHOUT PREJUDICE Item 4 [TMP-4842], Item 5 [TMP-4843] and Item 40 [SUP-4834], TABLE Item 16 [ZON-4623] and Item 17 [SDR-4626], and STRIKE Item 49 [MOD-4879] – UNANIMOUS**

**MINUTES:**

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:06 – 6:31)



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - RENOTIFICATION - MOD-4632 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: SHADOW HILLS PLAZA, LLC** - Request for a Major Modification to the Lone Mountain Master Development Plan FROM: VC (VILLAGE COMMERCIAL) TO: MLA (MEDIUM-LOW ATTACHED RESIDENTIAL) on 3.7 acres adjacent to the southwest corner of Buckskin Avenue and Shady Timber Street (a portion of APN 137-12-401-022 and a portion of 137-12-801-001), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown).

**C.C.: 10/06/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends this item be HELD IN ABEYANCE to the September 9, 2004 Planning Commission meeting.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report - Not Applicable

**MOTION:**

**NIGRO** – Motion to bring forward and HOLD IN ABEYANCE Item 18 [GPA-4631], Item 19 [ZON-4635], Item 20 [SDR-4638], Item 27 [MOD-4632], Item 28 [WVR-4754] and Item 29 [SDR-4751] to 9/09/2004 Planning Commission meeting, Item 3 [TMP-4838], Item 26 [SDR-4619], Item 30 [ZON-4828], Item 31 [SDR-4837], Item 47 [WVR-4883], and Item 48 [SDR-4832] to 9/23/2004 Planning Commission meeting, WITHDRAW WITHOUT PREJUDICE Item 4 [TMP-4842], Item 5 [TMP-4843] and Item 40 [SUP-4834], TABLE Item 16 [ZON-4623] and Item 17 [SDR-4626], and STRIKE Item 49 [MOD-4879] – UNANIMOUS

**MINUTES:**

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:06 – 6:31)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - RENOTIFICATION - WVR-4754 - WAIVER RELATED TO MOD-4632 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: SHADOW HILLS PLAZA, LLC - Request for a Waiver of Title 18.12.160 TO ALLOW A 210-FOOT SEPARATION DISTANCE BETWEEN INTERSECTIONS WHERE A MINIMUM OF 220 FEET IS REQUIRED WHEN PROVIDING EXTERNAL ACCESS FROM A SUBDIVISION TO AN EXISTING STREET HAVING A RIGHT-OF-WAY WIDTH OF 60 FEET OR MORE, IN CONJUNCTION WITH A PROPOSED 44-LOT SINGLE-FAMILY ATTACHED RESIDENTIAL DEVELOPMENT on 3.70 acres adjacent to the southwest corner of Shady Timber Street and Buckskin Avenue (a portion of APN 137-12-401-022 and a portion of 137-12-801-001), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) [Village Commercial Lone Mountain Special Land Use Designation - PROPOSED: Medium-Low Attached Residential], Ward 4 (Brown).**

**C.C.: 10/06/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends this item be HELD IN ABEYANCE to the September 9, 2004 Planning Commission meeting.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report - Not Applicable

**MOTION:**

**NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 18 [GPA-4631], Item 19 [ZON-4635], Item 20 [SDR-4638], Item 27 [MOD-4632], Item 28 [WVR-4754] and Item 29 [SDR-4751] to 9/09/2004 Planning Commission meeting, Item 3 [TMP-4838], Item 26 [SDR-4619], Item 30 [ZON-4828], Item 31 [SDR-4837], Item 47 [WVR-4883], and Item 48 [SDR-4832] to 9/23/2004 Planning Commission meeting, WITHDRAW WITHOUT PREJUDICE Item 4 [TMP-4842], Item 5 [TMP-4843] and Item 40 [SUP-4834], TABLE Item 16 [ZON-4623] and Item 17 [SDR-4626], and STRIKE Item 49 [MOD-4879] – UNANIMOUS**

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 28 – WVR-4754

**MINUTES:**

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:06 – 6:31)

**1-84**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ABEYANCE - RENOTIFICATION - SDR-4751 - SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-4632 AND WVR-4754 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: SHADOW HILLS PLAZA, LLC**  
- Request for a Site Development Plan Review FOR A PROPOSED 44-LOT SINGLE-FAMILY ATTACHED RESIDENTIAL DEVELOPMENT on 3.70 acres adjacent to the southwest corner of Shady Timber Street and Buckskin Avenue (a portion of APN 137-12-401-022 and a portion of 137-12-801-001), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) [Village Commercial Lone Mountain Special Land Use Designation - PROPOSED: Medium-Low Attached Residential], Ward 4 (Brown).

**C.C.: 10/06/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends this item be HELD IN ABEYANCE to the September 9, 2004 Planning Commission meeting.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report - Not Applicable

**MOTION:**

**NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 18 [GPA-4631], Item 19 [ZON-4635], Item 20 [SDR-4638], Item 27 [MOD-4632], Item 28 [WVR-4754] and Item 29 [SDR-4751] to 9/09/2004 Planning Commission meeting, Item 3 [TMP-4838], Item 26 [SDR-4619], Item 30 [ZON-4828], Item 31 [SDR-4837], Item 47 [WVR-4883], and Item 48 [SDR-4832] to 9/23/2004 Planning Commission meeting, WITHDRAW WITHOUT PREJUDICE Item 4 [TMP-4842], Item 5 [TMP-4843] and Item 40 [SUP-4834], TABLE Item 16 [ZON-4623] and Item 17 [SDR-4626], and STRIKE Item 49 [MOD-4879] – UNANIMOUS**

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 29 – SDR-4751

**MINUTES:**

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:06 – 6:31)

**1-84**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**ZON-4828 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: PLASIM HOMES, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 16.0 acres adjacent to the northwest corner of Monte Cristo Way and O'Bannon Drive (APN 163-03-302-004, 005, and 006), Ward 1 (Moncrief).**

**C.C.: 10/06/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**35**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Meeting – Signed Petition (Opposition) with 34 Signatures and Letters of Opposition from Anna Williams, Robert and Pamela Rightmyer, Joseph Essa, Beverly Hughes, Michael and Sara Graham, and Mr. and Mrs. Campbell

**MOTION:**

**NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 18 [GPA-4631], Item 19 [ZON-4635], Item 20 [SDR-4638], Item 27 [MOD-4632], Item 28 [WVR-4754] and Item 29 [SDR-4751] to 9/09/2004 Planning Commission meeting, Item 3 [TMP-4838], Item 26 [SDR-4619], Item 30 [ZON-4828], Item 31 [SDR-4837], Item 47 [WVR-4883], and Item 48 [SDR-4832] to 9/23/2004 Planning Commission meeting, WITHDRAW WITHOUT PREJUDICE Item 4 [TMP-4842], Item 5 [TMP-4843] and Item 40 [SUP-4834], TABLE Item 16 [ZON-4623] and Item 17 [SDR-4626], and STRIKE Item 49 [MOD-4879] – UNANIMOUS**

**MINUTES:**

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:06 – 6:31)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SDR-4837 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4828 - PUBLIC HEARING – APPLICANT/OWNER: PLASIM HOMES, LLC - Request for a Site Development Plan Review FOR A 39 LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 16.0 acres adjacent to the northwest corner of Monte Cristo Way and O'Bannon Drive (APN 163-03-302-004, 005, and 006), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre)], Ward 1 (Moncrief).**

**C.C.: 10/06/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>42</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Meeting – Signed Petition (Opposition) with 34 Signatures and Letters of Opposition from Anna Williams, Robert and Pamela Rightmyer, Joseph Essa, Beverly Hughes, Michael and Sara Graham, and Mr. and Mrs. Campbell filed under Item 30 [ZON-4828]

**MOTION:**

**NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 18 [GPA-4631], Item 19 [ZON-4635], Item 20 [SDR-4638], Item 27 [MOD-4632], Item 28 [WVR-4754] and Item 29 [SDR-4751] to 9/09/2004 Planning Commission meeting, Item 3 [TMP-4838], Item 26 [SDR-4619], Item 30 [ZON-4828], Item 31 [SDR-4837], Item 47 [WVR-4883], and Item 48 [SDR-4832] to 9/23/2004 Planning Commission meeting, WITHDRAW WITHOUT PREJUDICE Item 4 [TMP-4842], Item 5 [TMP-4843] and Item 40 [SUP-4834], TABLE Item 16 [ZON-4623] and Item 17 [SDR-4626], and STRIKE Item 49 [MOD-4879] – UNANIMOUS**

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 31 – SDR-4837

**MINUTES – Continued:**

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:06 – 6:31)

**1-84**



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**VAR-4804 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: VALENCIA COMMUNITIES, INC. - Request for a Variance TO ALLOW ZERO OPEN SPACE WHERE 11,500 SQUARE FEET IS REQUIRED FOR A 16-LOT SINGLE FAMILY DEVELOPMENT on 2.92 acres at 1700 South Buffalo Drive (APN 163-03-201-003, 004 and 005), R-E (Residence Estates) Zone under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units Per Acre), Ward 1 (Moncrief).**

**P.C.: FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED subject to conditions – Motion carried with EVANS voting No**

**This is Final Action**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated when the Planning Commission reviewed the Site Plan, there were 16 smaller size lots with open space. When the application was presented to City Council, the Site Development Plan changed to 16 larger lots and the open space was deleted. Staff felt that the requested Variance did not meet the standards of the Code.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 32 – VAR-4804

**MINUTES – Continued:**

SCOTT COLLINS, Valencia Communities, Inc., 10588 Market Walk, Las Vegas, stated that the reason for deleting the open space in the center of the project was at the request of Councilwoman Moncrief and the residents because they preferred having their lot lines lined up better. The lots have been widened and the larger lots are in the rear of the project, but there is still over 5,000 square feet of open space. MR. COLLINS added that the City Council approved the proposed project with the requirement of requesting the Variance on open space.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(7:16 – 7:20)  
**1-2725**

**CONDITIONS:**

Planning and Development

1. Conformance to the Conditions of Approval for General Plan Amendment (GPA-4000), Rezoning (ZON-4003), Site Development Plan Review (SDR-4004), and Variance (VAR-4005).
2. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of \$46,000 (Square Feet of Open Space to be waived x \$4.00) to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map, otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.
4. All site-related conditions of approval are addressed within the Conditions of Approval for General Plan Amendment (GPA-4000), Rezoning (ZON-4003), Site Development Plan Review (SDR-4004), and Variance (VAR-4005).

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SUP-4807 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ORION OUTDOOR MEDIA - OWNER: G G P IVANHOE II, INC. - Request for a Special Use Permit FOR A 51 FOOT HIGH, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 4300 Meadows Lane (APN 139-31-510-016), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).**

**IF APPROVED: C.C.: 10/06/04**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED subject to conditions, deleting Condition 1 and adding the following conditions:**

- The sign shall be limited to 51 feet in height and the flag design as presented at the 8/26/2004 Planning Commission meeting.
- No off premise (billboard) signs may be located along the Valley View Boulevard side of the property.

**– Motion carried with TRUESDELL abstaining as he manages a property that is part of the Meadows Mall and has a business relationship with General Growth and STEINMAN voting No**

**To be heard by the City Council on 10/06/2004**

**MINUTES:**

**VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 33 [SUP-4807], Item 34 [SUP-4808] and Item 35 [SUP-4809].**

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 33 – SUP-4807

**MINUTES – Continued:**

KYLE WALTON, Planning and Development, explained that staff requested Item 33 [SUP-4807], Item 34 [SUP-4808] and Item 35 [SUP-4809] be heard at the same time due to the context of each application. Although all three applications were in compliance with the Code and had sufficient distance from each other and the residential area, staff had some concerns regarding clutter if three off-premise signs were approved. Two would be more appropriate; with the deletion of one, the other two would be less intrusive to the corridor along the freeway. The recommendation for approval is based on one of the signs being eliminated, such as the middle one, and conformance to the revised elevations. He added that staff did receive a petition of those opposing the applications; however, the list was typewritten without signatures. DAVID CLAPSADDLE, Planning and Development, used the overhead to also show revised elevations of the billboards, which were decorative and mitigated some of the concerns pertaining to their appearance.

JAY BROWN, Attorney, 520 S. Fourth Street appeared with BEAU PALLEY, CEO and Chairman, Orion Outdoor Media, 7496 Rock Bridge, Las Vegas. ATTORNEY BROWN stated that because of the quality of the signage, he hoped that the Commission would approve all three applications. If not, they would prefer to withdraw Item 35 [SUP-4809]. He referenced another outlet mall that was smaller and has three billboard signs facing the freeway. He also pointed out that the applicant does have property on Valley View Boulevard that he could request billboard signage be placed there. However, if these three applications were approved, the applicant would be willing to place a condition restricting him from applying for billboards on the Valley View property.

COMMISSIONER McSWAIN expressed concern regarding having the billboard height at 51 feet in some cases and how this would impact the sight for the neighborhood on the other side of the freeway. MR. PALLEY responded that a sound wall is going to be built along that side of the freeway that would screen the signs from the residents. They are requesting additional height due to the depressed area and the Code allows for the increased height. They felt that 51 feet was sufficient to avoid a partial obstruction from the area. COMMISSIONER McSWAIN thanked the applicant for raising the standards on billboard signage. Provided that the applicant does not request any signage along the property at Valley View, she would support all three applications

COMMISSIONER EVANS questioned staff regarding the height request on Item 35 [SUP-4809], as the application and the backup documentation reflected different height requests. MR. CLAPSADDLE responded that the request for the 51-foot sign is on Item 33 [SUP-4807]. He added that the recommendation indicated in staff's report for Item 34 [SUP-4808] and Item 35 [SUP-4809] for denial was an error. Because staff recommended withdrawing one of the

applications, they were not sure as to which one the applicant would withdraw. As a result, staff recommended approval on all three applications with the condition that one application be

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 33 – SUP-4807

**MINUTES – Continued:**

withdrawn, with the understanding that the other two could be reconfigured. In response to COMMISSIONER EVANS' concern regarding proper notification, MR. CLAPSADDLE then stated that the heading was advertised at 40 feet, so it was noticed properly. In addition, MR. PALLEY responded to COMMISSIONER EVANS' question regarding no Meadows Mall logo could not be placed on the off-premised billboard. He stated that Meadows Mall has gone through some renovations and are seeking additional business identification signage. So, instead of Meadows Mall choosing to request a separate billboard sign at a later date, the applicant felt it was a better idea to consolidate the use. Should there be any conflict, he commented that a meeting could take place with staff to discuss a possible Master Sign Plan. MR. CLAPSADDLE then stated that one of the billboards reflected a Meadows Mall logo, which was discussed with staff. Although there is nothing in the Code that prevents the mixing of on and off premise signs, there is a definition that distinguishes the two. Staff's opinion was that placing the Meadows Mall logo on the signage would start to fall under the definition of on site signage as part of an overall Master Sign Plan. COMMISSIONER EVANS commented that this was the perfect place to advertise the Meadows Mall and would like to see that all is being done to continue its success. In addition, he complimented the applicant on the unique and aesthetically pleasing signage, and questioned staff if this is part of the conditions for approval. He pointed out that the signage was very attractive and he would support such signage, with the commitment to make aesthetically pleasing and artistic signs. MR. PALLEY added that the signs would have backdrop lighting, and he informed COMMISSIONER EVANS these signs costs approximately 50-60% more than the usual signage. MR. CLAPSADDLE clarified for COMMISSIONER EVANS that Condition 2 mandates conformance to the elevations, which are date stamped 8/17/04.

MR. PALLEY responded to COMMISSIONER STEINMAN by stating that the trees along the property line would be removed and replaced with another lane of traffic. COMMISSIONER STEINMAN expressed concern for possible signage clutter along the I-95 Freeway. A precedence has already been set for the I-15 Freeway. He does not want to see the same thing happen with the I-95 Freeway, as it will ultimately be an outstanding project once it is completed. As a result, he stated he would not support the application.

COMMISSIONER DAVENPORT voiced concern about the lighting on these billboards, as there is a billboard at Rancho Drive and I-95 Freeway that is near his home and is very bright and lights up some residential areas. MR. PALLEY informed him that the closest residential area is 309 feet away from the billboards. There is a light shield on the billboards that focuses the light specifically on the 672 square feet of advertising space. COMMISSIONER DAVENPORT then asked how the lighting on the billboards would affect drivers exiting off of Valley View Boulevard from the I-95 Freeway. MR. PALLEY replied that having the lighting focused on the

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 33 – SUP-4807

**MINUTES – Continued:**

billboard signs would actually alleviate the fuzzy lighting around the edges you would normally see on billboard signs. He added that they have built previous signs closer to off ramps and have not experienced any safety issues. With regards to staff's recommendation to withdraw one of the billboard applications, COMMISSIONER DAVENPORT suggested doing so with Item 35 [SUP-4809], as it is the closest one to the Valley View Boulevard off ramp. MR. CLAPSADDLE replied that the applicant would have to submit a revised Site Plan reflecting the locations of the two billboards.

COMMISSIONER McSWAIN appreciated staff's suggestion to withdraw one of the applications; however, she expressed concern that a precedent would be set without having the new Code. She complimented the applicant on the attractive signage. She then asked if the applicant would be willing to concur with any changes that would be required once the Ordinance is established. MR. PALLEY concurred. ROBERT GENZER, Planning and Development, stated that the Commission could only vote on the off premise billboard signage. The Meadows Malls billboard sign that was shown on the overhead is not currently allowed by the Code. He added that Condition 2 would also remain as is. Given the various photos shown on the overhead by MR. PALLEY, MR. GENZER asked the applicant to clarify if the signs would be offset or center pole. MR. PALLEY replied that the first sign would be offset, the second sign would be a center mount and the third sign would be offset. COMMISSIONER EVANS pointed out how places, such as the Meadows Mall and the Boulevard Mall, are very challenged with the newer malls. He felt that it was possible to have a mall adjacent to billboards and have advertisement on these billboards, just as much as the Gentlemen's Club could advertise on billboards all over town. He would like to see every effort made to ensure these types of mall have continued success and not end up as indoor swap meets.

For the record, MR. GENZER verified with MR. PALLEY, as the applicant, has the authority to speak on behalf of Meadows Mall.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 33 [SUP-4807], Item 34 [SUP-4808] and Item 35 [SUP-4809].

(7:20 – 7:47)  
**1-2894**

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 33 – SUP-4807

**CONDITIONS:**

Planning and Development

1. Only two off-premise signs shall be permitted on site.
2. The signs shall conform to the elevations date stamped 08/17/04; the Meadows Mall logo shall not be permitted on the signs.
3. The off-premise advertising sign (billboard) supporting structure shall be redesigned to finish materials to complement the existing on-site building. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
4. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign be removed.
6. If a Site Development Plan Review for new development includes property in which an off-premise advertising (billboard) sign is located the billboard(s) shall be reviewed for compatibility with the proposed development. Conditions of approval may be imposed that require the removal or redesign of some or all of the off-premise advertising (billboard) signs.
7. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
8. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.



PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 33 – SUP-4807

**CONDITIONS – Continued:**

9. Only one advertising sign is permitted per sign face.
10. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

11. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SUP-4808 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ORION OUTDOOR MEDIA - OWNER: G G P IVANHOE II, INC. - Request for a Special Use Permit FOR A 51 FOOT HIGH, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 4300 Meadows Lane (APN 139-31-510-016), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).**

**IF APPROVED: C.C.: 10/06/04**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED subject to conditions, deleting Condition 1 and adding the following conditions:**

- The sign shall be limited to 40 feet in height and the center pole design as presented at the 8/26/2004 Planning Commission meeting.
- No off premise (billboard) signs may be located along the Valley View Boulevard side of the property.

**– Motion carried with TRUESDELL abstaining as he manages a property that is part of the Meadows Mall and has a business relationship with General Growth and STEINMAN voting No**

**To be heard by the City Council on 10/06/2004**

**MINUTES:**

**NOTE: See Item 33 [SUP-4807] for all related discussion on Item 33 [SUP-4807], Item 34 [SUP-4808] and Item 35 [SUP-4809].**

(7:20 – 7:47)

**1-2894**

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 34 – SUP-4808

**CONDITIONS:**

Planning and Development

1. Only two off-premise signs shall be permitted on site.
2. The signs shall conform to the elevations date stamped 08/17/04; the Meadows Mall logo shall not be permitted on the signs.
3. The off-premise advertising sign (billboard) supporting structure shall be redesigned to finish materials to complement the existing on-site building. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
4. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. The Special Use Permit shall be reviewed in two (2) year at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
6. If a Site Development Plan Review for new development includes property in which, an off-premise advertising (billboard) sign is located, the billboard(s) shall be reviewed for compatibility with the proposed development. Conditions of approval may be imposed that require the removal or redesign of some or all of the off-premise advertising (billboard) signs.
7. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 34 – SUP-4808

**CONDITIONS – Continued:**

8. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
9. Only one advertising sign is permitted per sign face.
10. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

11. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SUP-4809 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ORION OUTDOOR MEDIA - OWNER: G G P IVANHOE II, INC. - Request for a Special Use Permit FOR A 40 FOOT HIGH, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 4300 Meadows Lane (APN 139-31-510-016), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).**

**IF APPROVED: C.C.: 10/06/04**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – APPROVED subject to conditions, deleting Condition 1 and adding the following conditions:**

- The sign shall be limited to 40 feet in height and the flag design as presented at the 8/26/2004 Planning Commission meeting.
- No off premise (billboard) signs may be located along the Valley View Boulevard side of the property.

**– Motion carried with TRUESDELL abstaining as he manages a property that is part of the Meadows Mall and has a business relationship with General Growth and DAVENPORT and STEINMAN voting No**

**To be heard by the City Council on 10/06/2004**

**MINUTES:**

**NOTE: See Item 33 [SUP-4807] for all related discussion on Item 33 [SUP-4807], Item 34 [SUP-4808] and Item 35 [SUP-4809].**

(7:20 – 7:47)

**1-2894**

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 35 – SUP-4809

**CONDITIONS:**

Planning and Development

1. Only two off-premise signs shall be permitted on site.
2. The signs shall conform to the elevations date stamped 08/17/04; the Meadows Mall logo shall not be permitted on the signs.
3. The off-premise advertising sign (billboard) supporting structure shall be redesigned to finish materials to complement the existing on-site building. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
4. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. The Special Use Permit shall be reviewed in two (2) year at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
6. If a Site Development Plan Review for new development includes property in which, an off-premise advertising (billboard) sign is located, the billboard(s) shall be reviewed for compatibility with the proposed development. Conditions of approval may be imposed that require the removal or redesign of some or all of the off-premise advertising (billboard) signs.
7. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 35 – SUP-4809

**CONDITIONS – Continued:**

8. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
9. Only one advertising sign is permitted per sign face.
10. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

11. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SUP-4814 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HANDY CASH LOAN CENTERS - OWNER: CHEYENNE LORENZI, LTD** - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED WITH A SEPARATION OF ZERO FEET WHERE 200 IS REQUIRED FROM A RESIDENTIAL PROPERTY, A SEPARATION OF 800 FEET WHERE 1,000 FEET IS REQUIRED FROM A SIMILAR USE, AND A WAIVER OF THE 1,500 SQUARE FOOT INTERIOR SPACE REQUIREMENT adjacent to the southeast corner of Cheyenne Avenue and Rainbow Boulevard (APN 138-14-101-005), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

**IF APPROVED: C.C.: 10/06/04**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – Motion to HOLD IN ABEYANCE – APPROVED – UNANIMOUS**

**To be held in abeyance until 9/09/2004 PC Meeting**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development, stated that the proposed project does not conform to the 200 feet separation distance requirement from a residential or financial institution. Therefore, staff felt that the proposed project is incompatible with the surrounding land use.



PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 36 – SUP-4814

**MINUTES – Continued:**

ROBIN AND LAWRENCE LUCAZI, President and CEO, Cash Loan Centers, 333 N. Rancho, Suite 453, Las Vegas, NV 89106 stated that they have met with staff, the City and the Mayor. From these meetings and their own investigations, they found that their application does not apply to the conditions. In speaking with the Mayor, MR. LUCAZI found out that the conditions are for a F02 license, but their business, which is an installment loan company, is not applicable because they are not in the payday industry. MR. LUCAZI expressed his frustration with the City throughout the application/licensing process, as well as, his concern with an ordinance drafted by Councilwoman Moncrief's office. He felt that some ordinances have been drafted without being informed and educated about the licenses. He referenced different types of licenses and clearly stated that they are strong advocates against the payday industry, which he felt this type of business was over saturated in the City. In addition, he stated that the Mayor suggested they state this information for the record whether or not the application is denied or approved.

CHAIRMAN TRUESDELL suggested that some of MR. LUCAZI'S concerns, such as the licensing issue, may need to be addressed with the City Attorney. MR. LUCAZI explained to CHAIRMAN TRUESDELL that the main difference between his business and the payday industry is that his type of business must adhere to the federal rules of lending, as the payday industry is not required to do so. His business does not fall under the 604 licensing; yet, it is being placed under the 604 ordinances. DEPUTY CITY ATTORNEY BRYAN SCOTT clarified that F02 is for finance companies and payday loans are under C21 of the licensing code. They are viewed as different industries under the City licensing code. In addition, the F02 license does not require a Special Use Permit, but a C21 does require a Special Use Permit.

COMMISSIONER McSWAIN asked if it would be appropriate to hold the item so the Commission could receive clarification from staff, since the City Attorney has identified the fact that different classifications have different special use permit requirements. DEPUTY CITY ATTORNEY SCOTT reiterated the need for clarification since this application was for a Special Use Permit and agreed that this item should be held in abeyance. A discussion between COMMISSIONER DAVENPORT and MR. LUCAZI then took place regarding the different types of licenses. CHAIRMAN TRUESDELL then stated that he, too, felt the item should be held because it would be inappropriate to take action on a Special Use Permit that may not be applicable. He recommended holding the item for 30 days.

Mr. LUCAZI felt it was best to inform the Commission that in the past, as well as currently, there would be other applicants coming before the Commission requesting to approve a financial institution that would operate under another individual's property, which is unlawful under the Nevada state law, provision code NRS 0620. COMMISSIONER DAVENPORT requested if this

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 36 – SUP-4814

**MINUTES – Continued:**

application comes before the Commission again, he would like staff to clarify the location of the proposed project, as it was not clear to him from his backup documentation on the Site Plan.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(7:48 – 8:01)

**2-491**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SUP-4821 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DOS COMPADRES, INC. - OWNER: SAHARA WESTLAKE ASSOCIATES - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED WITH A SEPARATION OF ZERO FEET WHERE 200 IS REQUIRED FROM RESIDENTIAL PROPERTY, A SEPARATION OF 230 FEET WHERE 1,000 FEET IS REQUIRED FROM A SIMILAR USE, AND AN INTERIOR BUILDING SPACE OF 100 SQUARE FEET WHERE 1,500 SQUARE FEET IS THE MINIMUM REQUIRED at 4505 West Sahara Avenue (APN 162-07-101-010), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).**

**IF APPROVED: C.C.: 10/06/04**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**McSWAIN – DENIED – UNANIMOUS**

**This is Final Action**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development, stated that this project does not conform to the recently adopted distance separation standards. As a result, it is not harmonious with the neighborhood.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 37 – SUP-4821

**MINUTES – Continued:**

CAESAR CROCIATA, representative for DOS COMPADRES, INC. DBA MAZZZ DINERO RAPIDO, 2013 Wengert Avenue, Las Vegas, NV 89104, requested that Item 37 [SUP-4821] and Item 42 [SUP-4845] be heard at the same time due to the same context. CHAIRMAN TRUESDELL stated that this could not be done due to the applications represent different properties. In response to a previous speaker's comments, MR. CROCIATA stated that they have been in the business for the last six years; all of their operations are within other facilities; and there is no advertising. Their interest rates are the lowest, and their clients are informed of these interest rates, as they sign agreements. He felt that thousands of dollars are lost due to bad checks and bad loans because some of the customers do not pay them. He continued by stating that the landlords allow 100 square feet of area inside the building to conduct business. The space is shared to accommodate the community with the services needed. He added that the clients prefer the smaller service area with the convenience of being able to shop within the Latin themed grocery store.

He stressed the fact that the 675 licensing does not require state bonding, as the 604 licensing requires state bonding. Regarding the minimum distance separation requirement of 1,500 square feet, he felt that this reference outside separate units that do advertising. He also referenced an office building located to the west of the shopping center that has a 5 x 7 closet space for an auto title loan and signature loan business. In addition, there once was a separate check cashing payday loan facility within this same shopping center. Now, their goal is to offer service primarily to the Hispanic community because they cannot get the needed service from other banks or financial institutions. They have 15 locations with approximately 50 employees, as this project and others will promote opportunities for the Hispanic community.

COMMISSIONER McSWAIN stated that the application was being reviewed based upon the Code relative to a proper use application. She stated she was not ready to try to distinguish between what MR. CROCIATA and others do. She then suggested having Item 42 [SUP-4845] brought forward for discussion to conclude MR. CROCIATA'S items.

CHAIRMAN TRUESDELL expressed his concern for previous applications that may have been approved and what may have to be rectified. He concurred with staff on denying the item.

CHAIRMAN TRUESDELL declared the Public Hearing open.

(8:01 – 8:12)  
**2-924**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SUP-4822 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ACOSTA ENTERPRISE DBA EL RINCON LATINO - OWNER: SAHARA WESTLAKE ASSOCIATES - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (ON-SALE/OFF-SALE/ ON-OFF-SALE) at 4505 West Sahara Avenue (APN 162-07-101-010), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).**

**IF APPROVED: C.C.: 10/06/04**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**EVANS – APPROVED subject to conditions and adding the following condition:**

- The Special Use Permit shall be limited to the sale of beer and wine.
- The area within the store where the beer and wine will be displayed shall be limited to 10% of the gross floor area

**– UNANIMOUS**

**To be heard by the City Council on 10/06/2004**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development, stated that the proposed use is greater than 400 feet from any protected use. Therefore, the application meets the minimum distance separation requirement and staff recommended approval.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 38 – SUP-4822

**MINUTES – Continued:**

LEO GARCIA, Owner, Acosta Enterprise, concurred with staff's recommendations and conditions.

JOHN BABBIDGE, 4504 Cinderella Lane, Las Vegas, NV 89102, stated he opposed the project for the following reasons: a) within 400 feet of the proposed project, there is already a 7-11 convenient store and a bar that sells wine and beer, b) this is an older established area that has not had a liquor store so the precedent has been set, c) the residents felt that the proposed project would decrease their property value, as alcohol sells would increase police activity and the crime rate in the area, d) and overall, the proposed project would be a detriment to the entire residential area.

MR. GARCIA rebutted that his proposed project is not a liquor store; it is a grocery store with produce, bakery and tortilleria, as only 10 percent of the business would be dedicated to beer and wine sales. He stated to CHAIRMAN TRUESDELL that the shopping center is 40,000 square feet, and his proposed grocery store would be a corner store with approximately 9,000 square feet. MR. CLAPSADDLE confirmed for COMMISSIONER McSWAIN that information pertaining to the square footage for alcohol sales is in another part of the Ordinance; however, the Commission could add a condition on this application as well limiting the alcohol sales. COMMISSIONER McSWAIN suggesting adding the condition, and MR. GARCIA did not object to the condition.

COMMISSIONER McSWAIN stated that this particular complex has been maintained. She felt that the proposed project would be an added benefit to assist in the foot traffic within this complex.

COMMISSIONER EVANS expressed concern with applications, in the past, that have been approved with beer, wine and liquor sales. There have been some smaller stores that were approved with the sell of hard liquor. ROBERT GENZER, Planning and Development, agreed with COMMISSIONER McSWAIN regarding adding the condition restricting the sales to beer and wine only. COMMISSIONER EVANS then stated he would support the application with the added condition. MR. GARCIA concurred.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(8:18 – 8:27)  
**2-1518**

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 38 – SUP-4822

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (On-sale/Off-sale/On-Off sale) use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SUP-4830 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH** - Request for a Special Use Permit FOR A 40 FOOT HIGH, 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the northwest corner of Westcliff Drive and Rainbow Boulevard (APN 138-27-802-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 2 (Wolfson).

**IF APPROVED: C.C.: 10/06/04**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>2</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Meeting – Letter of support, June Ingram on behalf of Charleston Neighborhood Preservation

**MOTION:**

**STEINMAN – Motion to HOLD IN ABEYANCE – UNANIMOUS**

**To be held in abeyance until 9/23/2004 PC Meeting**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, explained that this would be the first billboard in this area if approved. Staff believes sign placement in this location would encourage others to request billboards in the area and because of that, recommended denial.



PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 39 – SUP-4830

**MINUTES – Continued:**

ATTORNEY JOHN FIELD, Kummer Kaempfer Bonner and Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of both the applicant and the owner of the structure and property, and agreed that billboards should be discouraged in communities especially when they encroach on and are visible from within neighborhoods. He indicated that problems associated with some billboards including cluttering, structural waivers from building standards and questionable ad content, would not be issues related to this application. ATTORNEY FIELD declared this to be a perfect location for a billboard because no waivers are necessary, it conforms to Code and the property is exempted from the exclusionary zone in the overlay district for off-premise signs.

Using the overhead, ATTORNEY FIELD pointed out the location of the proposed billboard and stated the billboard would not be visible from or encroach on any neighborhoods. The direction of the sign is oriented to the I-95 freeway and more specifically, would face the Spaghetti Bowl. He assured the Commission that the property owner, the Twin Lakes Baptist Church, would regulate the content of the billboard and added that the revenue from the billboard would go to the church and in turn, be used to the benefit of the community. Regarding the possibility of clutter, ATTORNEY FIELD indicated the parcel is quite large and as the church owns the entire parcel, clutter would not be an issue.

JUNE INGRAM, Charleston Neighborhood Preservation, read a statement on behalf of her organization that indicated the church has a neighborhood preservation friendly history, would regulate ad content, that the sign is in compliance with the General Plan and zoning for the area, Planning and Development have imposed maintenance and review conditions and that due to the reputable character of the church, the Charleston Neighborhood Preservation organization supported approval of the Special Use Permit. She submitted a copy of the statement for the record.

COMMISSIONER DAVENPORT commented that he remembered a previous application involving the church on this property and that at that time, which was several months ago, the applicant indicated the property was donated to them specifically for church purposes. He questioned if placement of a billboard on the property would violate the transfer of deed. ATTORNEY FIELD was unable to answer with authority and COMMISSIONER DAVENPORT suggested he discuss that issue with his client. MR. FIELD indicated it would be discussed but that he was not aware of such a deed restriction.

COMMISSIONER GOYNES inquired about the impact the widening of the I-95 freeway might have on the proposed billboard. ATTORNEY FIELD speculated that the proposed location is far enough away that it would not be affected should NDOT condemn the area. COMMISSIONER GOYNES confirmed with ATTORNEY FIELD that the content of the billboard would be ad related, not for posting church related information such as service times.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 39 – SUP-4830

**MINUTES – Continued:**

COMMISSIONER McSWAIN felt this application might be premature with all of the development in the area and indicated that she would like to see a better sign instead of just meeting the minimum requirements for approval. She stated that she may have supported this in the future but at this time, would follow staff recommendation. ATTORNEY FIELD suggested imposing a condition that the quality of the sign be improved; however, he added he was not in a position that would allow him to approve changes to the structure. He would take that request back to his client. COMMISSIONER McSWAIN confirmed with ATTORNEY FIELD that he did not want the item held to allow time to discuss with his client but he would like the item approved with an added condition that the sign be more aesthetically pleasing.

COMMISSIONER NIGRO voiced concern over the staff recommendation of denial when there was no Code violation and only because the sign would be the first in the area. In his opinion, this would be a good location for a billboard because the area is immediately adjacent to the freeway. He questioned whether the recommendation was that the entire area was inappropriate for billboards and stated that the issue should be examined when the Code is rewritten. Agreeing with COMMISSIONER McSWAIN that the sign should be more aesthetically pleasing, he reminded everyone that the Commission has commented on aesthetics repeatedly on the record and that it seems that most sign companies are still not making an effort. He suspected that the sign companies are waiting for the Code rewrite and the City to force the issue instead of volunteering to make changes before that time. COMMISSIONER NIGRO felt it was appropriate to hold the item and stated he was uncomfortable with imposing a condition that the sign be improved aesthetically. He preferred to see the improvements before voting.

COMMISSIONER STEINMAN confirmed with ROBERT GENZER, Director, Planning and Development, that there is no Code provision prohibiting off-premise signs near churches; however, there is a restriction regarding signs being oriented towards the Summerlin Parkway. He stated the sign could be oriented in that direction and it should be denied for noncompliance with that provision. He also stated that he did not feel the Spaghetti Bowl should have millions of dollars invested towards improvement only to have the area messed up with billboards. He would not be supportive of the items.

MR. GENZER suggested that no matter what the action of the Commission may be, before the item is heard by City Council, the applicant should provide the finished elevation of the interchange and how the sign would relate to that finished elevation. He indicated staff was not given this information and that made making a recommendation on this application difficult. COMMISSIONER McSWAIN stated she was uncomfortable with denying the item because it would still move forward to Council.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 39 – SUP-4830

**MINUTES – Continued:**

CHAIRMAN TRUESDELL recollected that the previous application the church had brought before the Commission was to change the zoning from CV to C-1 and suspected the zoning change had been made to facilitate the application of this billboard. He questioned staff as to whether the previous CV zoning would have allowed a billboard application. MR. WALTON indicated that the Code did allow billboards on CV zoned property.

CHAIRMAN TRUESDELL said he drives in the area daily and that this sign would be visible from every direction. The property associated with this application has been vacant for several years with promises of the church being built. CHAIRMAN TRUESDELL voiced concerns over the sign being approved before the structure is completed. He feared that several years into the future, the sign could still be in place with no structure and no regulation of content. The property has a pile of dirt and he does not want to see a billboard on vacant land indefinitely. He also stated confusion regarding the support of the sign from the Charleston Neighborhood Preservation organization, as they are generally opposed to billboards of any kind. He added that no one has information on the setback zone or what the inclusionary affects are. He felt the item should be held to get the necessary answers.

COMMISSIONER McSWAIN stated she did not feel the billboard should go up until the church is completed and suggested a possible denial with a condition stating as such. DEPUTY CITY ATTORNEY BRYAN SCOTT informed her that it was not feasible to condition the item that way. A denial would be a denial, with no conditions. CHAIRMAN TRUESDELL questioned whether the next request would be for Westcliff frontage. ATTORNEY FIELD was not aware of any such request by the applicant.

A motion of denial was made by COMMISSIONER STEINMAN. CHAIRMAN TRUESDELL informed him that an abeyance would be preferred. COMMISSIONER STEINMAN justified his motion by reiterating the Code provision prohibiting the sign being visible from the Summerlin Expressway. CHAIRMAN TRUESDELL reminded him that if the item were denied, it would just be passed on to Council with a denial recommendation. COMMISSIONER McSWAIN concurred with the CHAIRMAN, stating if the applicant is required to bring back the necessary information, then, if denied, the item would at least move to Council with the requested information. COMMISSIONER STEINMAN then withdrew his motion of denial.

ATTORNEY FIELD requested the item be abeyed for two weeks, not tabled, so the applicant would not have to pay for re-notification and the associated costs. MR. GENZER indicated that his staff would need a minimum of 30-days because the information requested would have to be reviewed and two weeks would not be sufficient.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 39 – SUP-4830

**MINUTES – Continued:**

CHAIRMAN TRUESDELL declared the Public Hearing closed.  
(8:27 – 8:49)  
**2-1910**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SUP-4834 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/ OWNER: D.R. HORTON, INC. - Request for a Special Use Permit FOR A UNPAVED TEMPORARY REAL ESTATE SALES OFFICE PARKING LOT approximately 550 feet south of Elkhorn Road and Campbell Road (APN 125-20-113-006 and 007), T-C (Town Center) Zone, Ward 6 (Mack).**

**IF APPROVED: C.C.: 10/06/04**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends this item be WITHDRAWN WITHOUT PREJUDICE.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable

**MOTION:**

**NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 18 [GPA-4631], Item 19 [ZON-4635], Item 20 [SDR-4638], Item 27 [MOD-4632], Item 28 [WVR-4754] and Item 29 [SDR-4751] to 9/09/2004 Planning Commission meeting, Item 3 [TMP-4838], Item 26 [SDR-4619], Item 30 [ZON-4828], Item 31 [SDR-4837], Item 47 [WVR-4883], and Item 48 [SDR-4832] to 9/23/2004 Planning Commission meeting, WITHDRAW WITHOUT PREJUDICE Item 4 [TMP-4842], Item 5 [TMP-4843] and Item 40 [SUP-4834], TABLE Item 16 [ZON-4623] and Item 17 [SDR-4626], and STRIKE Item 49 [MOD-4879] – UNANIMOUS**

**MINUTES:**

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:06 – 6:31)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SUP-4844 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: JESUS IS THE ANSWER MINISTRIES - OWNER: TIM MEAD AND JULIE OVERMAN -**  
Request for a Special Use Permit FOR A TRANSITIONAL LIVING GROUP HOME at 1060 Hart Avenue (APN 139-21-612-043), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Weekly).

**IF APPROVED: C.C.: 10/06/04**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**14**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**2**

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**GOYNES – DENIED – Motion carried with EVANS voting NO**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, gave a review of the definition of a Transitional Living Group as defined in the Code. He stated it would be for six or fewer persons in need of transitional living arrangements. It cannot be an individual residential care facility, group residential care facility or convalescent care facility, nursing home, hospital or any type of facility that provides surgical, medical, psychiatric or other specialized treatment on a regular basis. It cannot provide housing and care to persons having a chronic disease, injury or other medical condition. It cannot provide housing, care or treatment to persons whose occupancy would constitute a direct threat to the health or safety to other individuals on their property. He added that the Code has four conditions for granting a Special Use Permit for base conditions of approval and this application meets all four.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 41 – SUP-4844

**MINUTES – Continued:**

GINA FOUNTAIN, appeared on behalf of Jesus is the Answer Ministries and explained the program houses individuals who have made poor choices and been living a destructive lifestyle. The ministry offers to house these individuals who have decided to change their destructive lifestyles and to help them get back on their feet. The church does not provide counseling of any kind in the facility; however, they are referred to counseling services such as the EOB. She indicated the home is not a rehab facility or shelter. Discipleship classes are offered along with daily bible studies. There is an on-site Director, Dexter Gary, who monitors the activities of the house and assures the church standards for the home are being maintained. No drinking or drugs of any type are allowed. The individuals are encouraged to find jobs and become productive members in the community. She added that the church has grown from six members to approximately three hundred and fifty. There have been no incident reports since moving into the community and the crime rate and rate of gang activity has been reduced.

WILLIAM McCURDY, 1117 Hart Avenue, lives directly across the street from the proposed facility. MAYOR GOODMAN appointed him to the Las Vegas 20/20 Board and he is very much opposed to this type of home being approved because over two million dollars in block grant money has been spent to revitalize this area. He acknowledged BISHOP MCINTIRE as a very good man; however, since the situation has been in his neighborhood, he complained that people have been walking through his property although he could not say if it was people associated with this home.

MR. McCURDY added that the crime rate in Vegas Heights is very high and that this project is not conducive to the revitalization of West Las Vegas. The home should be placed on the property he has seen across the street from the church so the house could be better monitored. MR. McCURDY indicated the church is operating such houses before asking for approval from the City and that the subject house in this application is currently under operation. He urged the Commission to deny the application. MR. McCURDY pointed out several individuals in the audience and indicated he was speaking on their behalf in an effort to conserve time. CHAIRMAN TRUESDELL asked that all members of the audience in opposition to this application indicate so with a show of hands. Thirteen adults did so. He asked for all audience members in favor of the application to also raise their hands, there were two.

MS. FOUNTAIN responded to MR. McCURDY'S comments regarding the church operating homes without approval by stating this is the first home the church has sponsored. She indicated the Code Enforcement Department visited the home and questioned their licensure. MS. FOUNTAIN told Code Enforcement that the State had informed her no license was required but that the church wanted to comply with City requirements if they were different. She explained that the application is part of that compliance.



PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 41 – SUP-4844

**MINUTES – Continued:**

COMMISSIONER GOYNES emphasized his belief that applications of this manner are detrimental to West Las Vegas. He confirmed with MS. FOUNTAIN that she was aware of the recent closure of the Von's store and the empty Veteran's Building, both projects affected by the lack of economic growth in the area. He stressed the importance of neighborhoods in a community. He defined a neighborhood as residential dwellings with families occupying each home. There should not be concerns within a neighborhood regarding the safety of children playing near a home with individuals coming and going on a transient basis and without knowledge of who they are or their background. He voiced extreme displeasure that the applicant would suggest placing people from destructive lifestyles in the middle of a neighborhood that is trying to establish itself.

COMMISSIONER GOYNES encouraged the church to consider building the transitional home near the church at Maryland Parkway and Fremont Street, as there is plenty of space and it could be expanded out to their parking lot. He also suggested if the home was not approved that perhaps the individuals could be taken into the homes of the church members and they could be mentored there. He indicated that between Hassell Avenue, Lawry Avenue and Hart Street, he was able to count five churches. The neighborhood does not need a transitional home, it needs a family in that home. Bringing an outside element with a destructive lifestyle into the neighborhood is not what is needed. For the community to survive, it must become economically smart.

COMMISSIONER GOYNES stated he is concerned about the children in the community and referenced the children in the audience. His hope is that he can leave some type of legacy for the children of West Las Vegas to have and pass onto their children. He commented that although the Commissioners represent individual Wards, as a Commission they represent the whole City and he urged them to support him in his vehement denial of this type of use.

Because of the fragile nature of the area, COMMISSIONER McSWAIN indicated she would not be able to support the item. She indicated that sometimes there is a need for transitional homes that serve a variety of purposes within communities but this is not the time to impose such a facility upon this neighborhood. She referenced the discussions that have occurred in the past regarding neighborhoods having several churches and what happens when an area is saturated with churches when there should be residences and families. She could not support the item. COMMISSIONER EVANS noted the number of churches in the area. He commented that the application meets all the provisions of the Code and it is not a group home. Individuals need help and if not at this location, where could they go? He indicated that there is no legal basis to deny the application if the information in the staff's report is accurate and he would be supporting the item.



PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 41 – SUP-4844

**MINUTES – Continued:**

CHAIRMAN TRUESDELL commented that he, like COMMISSIONER GOYNES, usually speaks loudly when talking about making West Las Vegas a better place. There are great charter schools there and there is a community center with ball fields approximately one block from this site. The challenge of the community is attaining more housing for families. Services will come into the area but there will not be enough homes to make the services stay. There are too many vacant lots and most of the applications that come into the area involve social services. This part of town is well located within the valley but is avoided because people think there are too many problems there. Once a small amount of progress is attained in the area, something happens that stalls the economic vibrancy of the community.

CHAIRMAN TRUESDELL acknowledged that the work of the church is important and he understands what they are trying to do for their residents; however, West Las Vegas deserves more than what is being seen on the applications coming before the City. It cannot all be placed in West Las Vegas.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(8:49 – 9:12)

**2-2919**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SUP-4845 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MAZZZ DINERO RAPIDO - OWNER: WILLIAM MIGUEL, ET AL** - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED WITH A SEPARATION OF 50 FEET WHERE 200 IS REQUIRED FROM A RESIDENTIAL PROPERTY, A SEPARATION OF ZERO FEET WHERE 1,000 FEET IS REQUIRED FROM A SIMILAR USE AND AN INTERIOR BUILDING SPACE OF 54 SQUARE FEET WHERE 1,500 SQUARE FEET IS THE MINIMUM REQUIRED at 745 North Nellis Boulevard (APN 140-29-802-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

**IF APPROVED: C.C.: 10/06/04**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**GOYNES – DENIED – UNANIMOUS**

**This is Final Action**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development, stated that this project does not conform to the recently adopted distance separation standards. As a result, it is not harmonious with the neighborhood.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 42 – SUP-4845

**MINUTES – Continued:**

CAESAR CROCIATA, 2013 Wengert Avenue, Las Vegas, NV 89104, representative for MAZZZ DINERO RAPIDO, pointed out there was once was a separate check cashing payday loan facility within this same shopping center. He gave a brief overview of how their area is situated within these buildings. He stated their contract with King Ranch Market allows them to operate check cashing payday loan facilities with money wire services in all of the locations.

He continued by stating that the area is mostly commercialized. On Nellis Boulevard, there is another similar business, which is a freestanding unit. With that in mind, their proposed project is within a building, and he felt the distance separation requirement should not apply to their proposed application.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(8:12 – 8:17)  
**2-1321**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SUP-4919 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: THE MASSAGE GROUP - OWNER: CITY OF LAS VEGAS REDEVELOPMENT AND FREMONT STREET EXPERIENCE, LLC - Request for a Special Use Permit FOR A PROPOSED MOBILE MASSAGE ESTABLISHMENT, WAIVER OF THE 1,000 FOOT DISTANCE SEPARATION REQUIREMENT FROM ANOTHER MASSAGE ESTABLISHMENT, AND A WAIVER OF THE RESTRICTIONS ON HOURS OF OPERATION within the Fremont Street Experience (APN 139-34-111-064), C-2 (General Commercial) Zone, Ward 1 (Moncrief).**

**IF APPROVED: C.C.: 9/15/04**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**EVANS – APPROVED subject to conditions – Motion carried with GOYNES and TRUESDELL voting NO**

**To be heard by the City Council on 9/15/2004**

NOTE: CHAIRMAN TRUESDELL disclosed that his offices were previously located on property he owned at 201 Las Vegas Boulevard South. That building is now scheduled to become a post office. Currently, he is managing that property; however, he has no financial interest so he would vote on this item.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 43 – SUP-4919

**MINUTES – Continued:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that approval would allow the applicant to operate ten mobile massage chairs on the Fremont Street Experience. Conditions would limit the maximum amount of chairs to ten and the maximum number of employees to thirteen. A condition was included to grant a distance separation waiver from other massage establishments in the area and to limit the hours of operation from 8:00 a.m. to 2:00 p.m.

RICHARD HARRIS, 2728 Brookstone Court, appeared on behalf of the applicant and concurred with staff recommendation for approval.

COMMISSIONER DAVENPORT asked for clarification of the term “mobile massage”. MR. HARRIS indicated that the term mobile is used because the chairs are completely portable. He added that the chairs would only be out during good weather and when there was adequate foot traffic in the area.

Upon review, CHAIRMAN TRUESDELL found the application contradictory to representations made by the Fremont Street Experience (FSE) staff regarding downsizing some of the retail concessions to make a more open and vibrant streetscape. In his opinion, there are many great corporations who want to be on Fremont Street and would be, if they were given the right environment to do business there. He did not understand how a mobile massage business would get the Experience any closer to their goal. He commented on the progress the property owners of the Entertainment District have made and how Neonopolis has been unable to procure any businesses with substantial direction. He stated a mobile massage company is not going to change the direction of the Experience and it will not help to retain other retailing commitments in the downtown core.

MARK FREGAIL, 425 Fremont Street, introduced himself as the Parking, Retail and Mall Complaint Manager for the Fremont Street Experience. He verified that CHAIRMAN TRUESDELL was correct about the FSE wanting to reduce the number of special vendors from ten down to five. He indicated MR. HARRIS’ massage company was included in that reduced number. The reduction would free space within the mall pedestrian area. MR. FREGAIL explained that guests enjoy services such as massages after sitting at tables, gambling for several hours. He cited the patrons of the World Series of Poker as an example. Generally, five chairs would be within the set up in a small, unobtrusive area and would not be disruptive to the traffic flow. MR. HARRIS added that his company is also associated with several concierge services at the strip hotels and they would refer clients, resulting in more foot traffic to the mall.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 43 – SUP-4919

**MINUTES – Continued:**

MR. FREGAIL added that similar massage vendors could be seen at the Fashion Show Mall in the common areas. The business is a classy, appropriate vendor for the FSE. Signage is limited as they are their own representation and he found the employees to be clean cut and professional.

CHAIRMAN TRUESDELL believed the Fashion Show Mall has retail establishments that draw consumers who, once there, could get a massage. On the Fremont Street Experience, there is not retail in place that can do that. He felt the focus should be on getting retail established.

COMMISSIONER EVANS acknowledged CHAIRMAN TRUESDELL'S concerns; however, he felt those concerns would be categorized as business decisions and since the application met code, he would be ready to motion for approval unless there was further discussion.

Subsequent to the vote, ROBERT GENZER, Director, Planning and Development Department, clarified that the item was shown to be in Ward 1 (Moncrief) and it should also include Ward 5 (Weekly). He indicated that it would be corrected when the item is heard at the City Council Meeting.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:12 – 9:20)

**3-346**

**CONDITIONS:**

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The number of employees allowable on-site at any given time will be limited to no more than 13 individuals.
3. The number of chairs allowable on-site at any given time will be limited to no more than 10.
4. A Waiver is approved to the distance separation standard from other massage establishments.
5. The hours of operation shall be limited to the period between 8 a.m. and 2 a.m., unless further limited by the City Council on a case-by-case basis.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 43 – SUP-4919

**CONDITIONS – Continued:**

6. Conformance to all other Minimum Requirements under Title 19.04.050 for the Massage Establishment use.
7. All City Code requirements and design standards of all City departments must be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**RQR-4661 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: Z & Z INVESTMENT COMPANY - Required Two Year Review of an approved Special Use Permit (U-0018-95) WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2350 North Rainbow Boulevard (APN 138-23-110-001), C-1 (Limited Commercial) Zone, Ward 6 (Mack).**

**IF APPROVED: C.C.: 10/06/04**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends this item be STRICKEN from the agenda.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable

**MOTION:**

**McSWAIN – DENIED – UNANIMOUS**

**This is Final Action**

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that historically, the Planning Commission and staff have recommended denial not only of the original billboard but also, the subsequent reviews. If this item were a new application for a billboard, it would not be permitted because it does not meet the standards of the code.



PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 44 – RQR-4661

**MINUTES – Continued:**

SCOTT NAFTZGER, Lamar Outdoor Advertising, 1863 Helm Drive, appeared on behalf of the applicant and described the billboard as a legal, non-conforming sign. He indicated it has been at this location for approximately ten years and has been maintained in accordance with the Use Permits during that time. He requested approval.

COMMISSIONER McSWAIN expressed her displeasure with the billboard because it abuts a residential area and is inappropriate in this location.

CHAIRMAIN TRUESDELL declared the Public Hearing closed.

(9:20 – 9:22)  
**3-602**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**RQR-4669 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - APPLICANT: DENNIS HANCOCK - OWNER: ZYGMUNT AMARETTI** - Required One Year Review of an approved Special Use Permit (SUP-2203) WHICH ALLOWED AN AUTO REPAIR GARAGE, MAJOR AND WAIVERS TO ALLOW MAJOR REPAIR AND SERVICE WORK OUTSIDE OF A ENCLOSED BUILDING, TO ALLOW OUTDOOR HOISTS, AND TO NOT SCREEN DISABLED OR WRECKED VEHICLES FROM SURROUNDING PROPERTIES AND ADJOINING STREETS at 2101 Fremont Street (APN 139-35-804-004), C-2 (General Commercial) Zone, Ward 3 (Reese).

**IF APPROVED: C.C.: 10/06/04**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**MCSWAIN – APPROVED** subject to conditions and amending the following condition:

2. The Special Use Permit SUP-2203 shall be reviewed in *eighteen months* at which time the City Council may require cessation of the use. The applicant shall be responsible for the notification costs of the review. Failure to pay the City for these costs may result in cessation of the use.

– Motion carried with GOYNES and TRUESDELL voting NO

**To be heard by the City Council on 10/06/2004**

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 45 – RQR-4669

**MINUTES – Continued:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, indicated that when the Council approved this item, the outdoor hoists were permitted. However, the applicant has not been in compliance with some of the conditions of approval regarding screening and how the major auto repair facility operates therefore, staff is recommending denial.

In an unrelated discussion, CHAIRMAN TRUESDELL verified the applicant for Item 43 [SUP-4919] was still present and clarified the item would be heard by City Council on 9/15/2004, not 10/6/2004 as he had previously announced. He apologized for the confusion.

DENNIS HANCOCK, 7981 Cadenza Lane, explained that when he leased the property, he understood the only requirement would be to obtain C-2 zoning. He was informed the hoists could not be located outside; however, the hoists would not fit in the bays due to ceiling height in his portion of the building. He requested a waiver to allow the hoists to remain outdoors and that was granted. He indicated most of the major repair work is done inside the bay and he does have screening across the fence. During the day, the gates remain open so the screen is not affective when the property is viewed from 21<sup>st</sup> street but the view is still protected from Fremont Street.

CHAIRMAN TRUESDELL confirmed with MR. HANCOCK that none of the cars within view from Fremont Street are associated with his repair shop. The outside parking lot belongs to the parts shop next door and MR. HANCOCK'S business is totally contained within the fenced area. He described his business as strictly auto repair, no body work is done. He pointed out that his lease expires in a year and a half and asked that he be allowed to continue working under this Special Use Permit during that time. He intends to work with the owner to add two bays, which would accommodate having the hoists brought inside. He indicated that if the hoists are the biggest issue and he could not work with the owner to get them inside by the time his lease is up, he would have to move the shop.

ATTORNEY JOHN NETZORG, 2810 West Charleston Boulevard, Suite 81, appeared on behalf of his client MARY BARTSAS who owns the Longbranch. He indicated his client feels the area of Fremont and Eastern is in desperate need of redevelopment and improvement and that this use is inappropriate for the area. MS. BARTSAS business has been closed for some time and a drug store is now looking at developing at that location. She is pursuing putting significant amounts of money into the motels in the area. In summary, MS. BARTSAS is vehemently opposed to this application.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 45 – RQR-4669

**MINUTES – Continued:**

DENISE CONTITO, 7981 Cadenza Lane, stated that MR. NETZORG was incorrect in his statement that the usage is not conducive to the area. She pointed out that across 21<sup>st</sup> Street, on the west side, there is a muffler shop. She indicated that there is commercial to the west and south of the property in question. She acknowledged that to the north and east sides of the property, there were motels as MR. NETZORG had indicated.

COMMISSIONER McSWAIN recalled that when the application was originally heard, there was some confusion involved and the commission was trying to help him get through the lease period and that was why the review had been imposed. She agreed with MR. NETZORG that the use is inappropriate for the area especially without the screening in place as required. She confirmed with MR. HANCOCK that there was slightly more than one year left on his lease. She then confirmed with staff that this is the same location the Commission recommended approval for a Hispanic commercial mall and that there are no complaints against the applicant's business on record. COMMISSIONER McSWAIN did not feel the mall project would be completed within the next year and there was a condition requiring a one-year review therefore, she would be supportive of allowing the applicant an additional year on the Special Use Permit. Beyond that, without being in conformance she would not be supportive of extending it additionally.

COMMISSIOR EVANS stated that he had driven past the establishment a few weeks ago, after hours, and it was screened. He concurred with COMMISSIONER McSWAIN'S comments. He indicated he would be supportive of an additional year review.

COMMISSIONER STEINMAN indicated that he has observed work being done outside the screened area and if the Commission intended to approve the application, a condition should be added that would prohibit any work being done outside the screened area. The applicant agreed to such a condition; however, MR. CLAPSADDLE interjected that a condition exists from the original application with the same requirement. MR. HANCOCK pointed out that he could not be held responsible for any work the adjacent parts shop may do outside of the screened area. He indicated that at times, they have done some work in the area in question.

CHAIRMAN TRUESDELL voiced concerns about possibly approving this application without assuring compliance from the parts house. MR. HANCOCK indicated that the parts house has been doing the same repairs that he does for over twenty years. He stated the owner rents out portions of the building and he thought Carquest or Charleston Auto Parts owned the parts house.

COMMISSIONER McSWAIN motioned for approval with an 18-month review. CHAIRMAN TRUESDELL stated he could support that motion if the intent is to allow the applicant time to

bring the business into compliance while the area is being renovated. If the intention was to allow him time only to let his lease expire and then another user is to come into the location and

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 45 – RQR-4669

**MINUTES – Continued:**

request the same, he did not see the use in approving it at this time. He questioned MR. HANCOCK as to whether he intended to stay in the area once the lease was up. MR. HANCOCK replied that once the 18-month review was over, if he did stay, it would be with the business in compliance and without the need of a Special Use Permit. He would not want to throw away the customer base he has at this location. Perhaps it could be used as a satellite shop.

DEPUTY CITY ATTORNEY BRYAN SCOTT indicated that if given an 18-month review, the applicant would be required to come back and be in compliance with no additional waivers being granted. A Special Use Permit would still be necessary; however, the applicant would not be granted waivers and would have to follow the rules set forth for his type of business. COMMISSIONER McSWAIN stated that at that time, should the owner not bring the property into compliance, the applicant would have to vacate. She acknowledged the area would not be completely renovated within the next 18 months and she did not want to penalize MR. HANCOCK with a denial motion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:22 – 9:37)  
**3-661**

**CONDITIONS:**

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit SUP-2203.
2. The Special Use Permit SUP-2203 shall be reviewed in one year at which time the City Council may require cessation of the use. The applicant shall be responsible for the notification costs of the review. Failure to pay the City for these costs may result in cessation of the use.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

☐

**CONSENT**

☒

**DISCUSSION**

**SUBJECT:**

**RQR-4910 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT/OWNER: STEVE A. PHILLIPS - Required Two Year Review of an approved Site Development Plan Review (SD-0026-02) FOR SITE IMPROVEMENTS IN CONJUNCTION WITH TEMPORARY SALES at 6651 West Charleston Boulevard (APN 163-02-104-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], Ward 1 (Moncrief).**

**IF APPROVED: C.C.: 10/06/04**

**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**DAVENPORT – APPROVED subject to conditions and deleting Condition 2 – Motion carried with GOYNES and STEINMAN voting NO**

**To be heard by the City Council on 10/06/2004**

NOTE: Initial motion for DENIAL by STEINMAN failed. Subsequent motion for APPROVAL by DAVENPORT carried.

**MINUTES:**

CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, indicated that this proposed use has not complied with specific conditions of the original Site Plan Review and that is why staff is recommending denial.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 46 – RQR-4910

**MINUTES – Continued:**

STEVE PHILLIPS, 4890 Von Leidner Street, appeared with his wife RAYNELL PHILLIPS. Using the overhead MRS. PHILLIPS showed photos of the subject property while MR. PHILLIPS gave a history of the lot, which they have owned for two years. Upon purchasing the property, abandoned vehicles were removed; graffiti was removed along with trash and debris and they dealt with the problem of the homeless residing on their lot. The property was fenced and landscaping planters were added. The planter on the corner of the lot contains two life size bronze deer statues mounted to a two-ton stone and it has become a landmark of the neighborhood. The PHILLIPS get compliments all the time and questions on where the planter was designed and purchased. The other planters are 90-feet long and currently contain bark. Eventually the planters will be filled with trees and shrubs to come into compliance with the originally submitted landscape plan.

In August of 2002, the City Council approved a Site Plan in conjunction with a Temporary Sales Use. Since that time, the PHILLIPS have invested over \$80,000 on the property improvements including engineering and installation of 130 feet of public sidewalk, curb and gutter, two commercial driveways, a streetlight and the installation of a public crosswalk at the corner of Redwood Street and Charleston Boulevard. The property has been graded and a layer of decorative landscape rock, sand and chat covers the entire parcel. Electric, phone and water utilities have been installed as well as security lights that come on at dusk and turn off at dawn. The parking lot has been installed with one handicap space and four regular spaces. The applicant plans to pave this area in the beginning of 2005. A trash enclosure has been constructed which opens into the property to shield the dumpster. He acknowledged the lot being vacant approximately 10 months out of the year, the applicant cleans and maintains the fenced in lot almost daily. Graffiti is removed within four days and the property is tagged approximately twice a month. Several times a week, the applicant is complemented for the work they have done. There have been no complaints or incidents regarding the property since they have taken ownership.

MR. PHILLIPS indicated the next scheduled phase of work for the lot will be to install the landscaping. The applicant intends to pull the permit for the work in September and to have the work completed by October. Completion of this work will bring the property into compliance with Conditions 4, 5, 6 and 8. Staff has informed MR. PHILLIPS that there are errors on his original landscape plan and he has noted the corrections and will be resubmitting revised plans. There have been delays in the project's progress due to several factors such as design and engineering plan errors regarding off-site improvements, finding a reputable contractor to do the work who would take on such a small job.

The primary function of the lot is for Christmas Tree sales. The lot provides trees to approximately 1800 families each year and has done so for fourteen years. The applicant does not have the funding to complete this project within the timeframe given. MR. PHILLIPS stated



PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 46 – RQR-4910

**MINUTES – Continued:**

they are making the improvements as fast as possible. The project is over half finished and the PHILLIPS believe they have demonstrated their desire to improve the property to Code and City satisfaction.

MR. PHILLIPS wanted to discuss Conditions 1 and 2 which pertain to the Site Development Plan Review and Special Use Permit Review. The conditions reduce the review time down to one year. In July, the applicant purchased \$50,000 worth of Christmas trees. That would be the normal time of year to do so and the applicant explained, with one-year reviews, the threat of denial in September of every year is too stressful and could result in financial losses. The applicant requested to maintain the current two-year review status.

MR. PHILLIPS also indicated an issue existed regarding Condition 7 which pertains to perimeter fencing. He explained that City Council approved the installation of green, vinyl, chain link fencing to match the fencing of their neighbor to the west. The fencing cost was approximately \$12,000 and the applicant feels it looks very nice.

COMMISSIONER McSWAIN indicated she did not have a problem with the pace at which the work is being done because she understands the investment necessary and the process etc. She did have an issue regarding the use being appropriate for the area and cited this property as an example of why billboards should not be allowed on vacant lots. The area is a business corridor and a temporary sales use is inappropriate. COMMISSIONER McSWAIN felt the property should be developed.

COMMISSIONER STEINMAN confirmed with MR. PHILLIPS that the lot is used approximately two months a year. MR. PHILLIPS added that they did try to have Valentine's Day flowers, Mother's Day flowers, 4th of July fireworks, Halloween pumpkins and the trees for the last two years. Because the labor is too great, they will only sell Christmas trees and rent out the lot for 4th of July firework sales in the future. A non-profit Police and Fire rugby club rent the fireworks stand.

COMMISSIONER STEINMAN questioned what the item under the tarp was that was shown in the photos. He also questioned why the trash enclosure was different in the photos and whether or not the port-a-potty was on the lot year round. The applicant indicated that the item under the tarp is a fire truck and that the tarp would be replaced soon because it is weathered. The Commissioner felt the property could be better used and more valuable if developed than to have it used only two months a year. MR. PHILLIPS explained the trash enclosure was an oversight and once they read staffs comments, it was remedied. The hay bales in the photos are now gone. He added that his lot was originally located across the street for 12 years and because Odyssey

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
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**MINUTES – Continued:**

Charter School was going to be expanded, they secured the lot in question for a good price. He indicated that people are not contacting him to purchase the property for office.

COMMISSIONER STEINMAN informed the applicant that approval of the application would require the installation of asphalt. The applicant acknowledged the asphalt is necessary and assured the Commission it would get done. COMMISSIONER STEINMAN voiced concern over the financial affect a denial vote would have on the applicant because the trees for this year have already been purchased. He suggested granting the Temporary Use until the end of the year so the applicant would not be stuck with \$50,000 worth of trees and no lot to sell them in. MR. PHILLIPS indicated that it would be generous of the Commission to grant that time.

CHAIRMAN TRUESDELL stated that although the application is for Temporary Use, the actual use is permanent. The one year review would not have been required if the conditions had been met. Once met, the application would be viewed as more of a permanent use. He understood from a business standpoint, what the applicant is trying to do; however, he questioned how the process would function if every business owner completed their site improvements at this type of pace. It is the Commissions obligation to try and be fair and interpret the Code. He suggested that if the improvements had been required prior to opening for business, they would have been completed already or the lot would not be open. CHAIRMAN TRUESDELL emphasized that other businesses along the same corridor had conditions that had to be completed to a certain point before opening and this application was not required to do so. He acknowledged the efforts of the applicant on the installation of improvements.

MR. PHILLIPS reluctantly showed photos of three other tree lots and indicated if the Commission had a problem with his application, then something must be done about other temporary sales lots, which are not well maintained. He also showed photos of a temporary sales lot in Summerlin that looks clean, well maintained and aesthetically pleasing from the street. Photos of the interior revealed a pile of rubbish and an abandoned trailer. He then showed photos of his lot before and after their purchase. CHAIRMAN TRUESDELL reiterated that he was not saying the applicant did not do a good job on cleaning up the lot, his problem was that the improvements were not completed. He also stated that perhaps the Commission is not doing a good job of catching all of the temporary sales use lots. When the temporary lots become permanent, the standards of improvements must be met. MR. PHILLIPS explained that if someone offered the right price, they would sell the property but that just is not happening. Along Charleston Boulevard there are many vacant lots that are just desert and weeds.

COMMISSIONER STEINMAN suggested approval allowing temporary sales through 12/31/2004 without conditions because it forces improvements being placed on property that the

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
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**MINUTES – Continued:**

Commission is trying to stop temporary sales on. He questioned staff about which conditions are truly important to granting the use through the end of the year. MARGO WHEELER, Deputy Director, Planning and Development Department, suggested placing a condition to the effect of the use ceasing after 12/31/2004 and leaving the other conditions off entirely. COMMISSIONER STEINMAN indicated that was his motion.

COMMISSIONER NIGRO voiced concern about what the condition of the lot would be once the temporary sales had ceased. In his opinion, the use is not appropriate; however, the motion would result in the creation of another vacant lot. COMMISSIONER DAVENPORT interjected that the applicant takes pride in the lot and if they are not given additional time to complete their improvements; it will turn into another vacant lot on Charleston Boulevard. He questioned if the two-year extension was given, what timeframe the applicant would require to finish the landscaping and asphalt work. MR. PHILLIPS indicated they hoped to start the landscaping right away and to have the pavement at the beginning of 2005. COMMISSIONER DAVENPORT stated that because of the well-maintained condition of the lot, he would be willing to waive the requirement of asphalt. COMMISSIONER EVANS questioned if that was a possibility because of Clark County Air Quality Standards. MR. PHILLIPS asked if the upper portion of the property could be paved, leaving the drive thru on the landscaping plan.

COMMISSIONER NIGRO understood the intention of COMMISSIONER DAVENPORT'S statement and indicated waivers should not be considered and that to get the use continued for any amount of time, all the staff requirements should be met over an agreed upon period of time. COMMISSIONER STEINMAN said in doing that, the commission would be requiring the applicant to create an improved vacant lot without allowing them to use it. COMMISSIONER McSWAIN indicated she did not want to require the applicant to continue to improve a property if the Commission agrees with her that it is not an appropriate use. She did not want the decision to result in a permanent temporary sales lot. CHAIRMAN TRUESDELL pointed out that the situation is close to that now. COMMISSIONER NIGRO stated that the Commission would have the opportunity to hear the item again during a review in two years, if granted.

DEPUTY CITY ATTORNEY BRYAN SCOTT emphasized the application is for a Site Plan Review and the Commission would be voting on approving or denying the Site Plan. He questioned if the use of the property would fall under a separate application. MS. WHEELER explained that the use is a temporary commercial permit for the Christmas trees. DEPUTY CITY ATTORNEY SCOTT indicated the use is not before the Commission at this time and that there has not been much discussion regarding the Site Plan. COMMISSIONER NIGRO asked why they should not be able to discuss the Special Use Permit timeframe when Condition 2 pertains to it.

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**MINUTES – Continued:**

DEPUTY CITY ATTORNEY SCOTT confirmed with CHAIRMAN TRUESDELL that the Commission is considering a time frame to complete the improvements that should have been finished within the first two-year period. COMMISSIONER STEINMAN said that would have the potential of going four years without all improvements. If the Temporary Sales Use expired on 12/31/2004, the applicant would have the option of reapplying next year if the property has not been sold.

MR. CLAPSADDLE indicated this review is like any other required review. The purpose is to see if the applicant has met the conditions of the approved Site Plan. Staff determined that on this application, some of the conditions were not met. Like any other review, this one could be approved or denied. If the Commission feels the Site Plan is no longer appropriate, it means that the approval is revoked. DEPUTY CITY ATTORNEY SCOTT confirmed with MR. CLAPSADDLE that if the Site Plan is revoked because the applicant did not meet the requirements under the Site Plan, they could still apply with the City for a temporary commercial use next year to sell trees on the same lot.

COMMISSIONER DAVENPORT added that if the application is denied, in December the applicant could come in just like everyone else and apply for the use permit. They would not have to maintain the lot or do any improvements. Another tumbleweed lot would be the result. If the application is approved, the applicant will continue to maintain and improve the property.

DEPUTY CITY ATTORNEY SCOTT expressed the City's main concern would be to get those improvements completed and granting approval until 12/31/2004 would not require any improvements to be finished. The applicant would not be required to install them yet could come back annually to get a Temporary Commercial Use permit to sell the trees and the improvements remain uninstalled. MR. CLAPSADDLE informed the Commission that they could give another required review in a year and gives the applicant that time to complete all the required improvements and that would allow another chance to look at the application.

MR. PHILLIPS assured the Commission that if given two years, the improvements would be done as more than half is done already. Until they can sell it, the lot will be a nice, vacant, landscaped lot. CHAIRMAN TRUESDELL suggested a motion be crafted and COMMISSIONER STEINMAN reminded him that one had been made to approve temporary sales on this site thru 12/31/2004. CHAIRMAN TRUESDELL indicated the temporary sales approval is not what is being considered, the application pertains to the Site Plan and extension for further review.

COMMISSIONER McSWAIN confirmed with MR. WALTON that there is not a Special Use permit due for review in the future. The business operates under Temporary Commercial

permits

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
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**MINUTES – Continued:**

when there is a need to use the lot for sales. The question came up of why there was a Site Plan at all when there was never a Special Use permit. MR. PHILLIPS informed the Commission that when the applicant requested approval to install the green, vinyl, chain link fence, the City categorized the improvement as development and the entire process was started.

DEPUTY CITY ATTORNEY SCOTT suggested to COMMISSIONER STEINMAN that the motion should revolve around the denial or approval of the Site Development Plan Review. MR. PHILLIPS questioned how Condition 7 would relate to the motion since it requires a block wall on the property and there is not a block wall there. COMMISSIONER STEINMAN indicated the motion should then be for denial since Council required a block wall. MRS. PHILLIPS reminded him that after the Planning Commission denied the vinyl chain link fence, the City Council gave approval on the green chain link so it would match the fence of the adjacent property.

DEPUTY CITY ATTORNEY SCOTT attributed much of the problem to the fact that there was not a condition stating the Use would cease if the Conditions of Approval were not met. He summarized by saying the Commission is reviewing a Site Plan to see if the applicant has complied with the conditions. The applicant is not in compliance and needs approximately two years to complete them. The Commission must determine if the applicant will be allowed the additional two years to complete the improvements. He reminded them that they could choose to not do the improvements and apply every year for a Temporary Commercial permit. MR. PHILLIPS stated that they wanted to complete the improvements and requested a two-year review.

COMMISSIONER NIGRO clarified that denial would not close the tree lot. The applicant would still have the option of applying annually for a Temporary Commercial permit. CHAIRMAN TRUESDELL indicated the previous approval was based on the Commission believing certain improvements were going to be installed. He felt the motion should include a timeframe to complete the improvements in. COMMISSIONER DAVENPORT and COMMISSIONER NIGRO reminded CHAIRMAN TRUESDELL that there was a motion for denial already. COMMISSIONER McSWAIN announced she had changed her mind and would not support denial of the Site Plan since it does not restrict the applicant from doing temporary sales. The motion failed with DAVENPORT, McSWAIN, TRUESDELL, NIGRO AND EVANS voting no.

COMMISSIONER DAVENPORT then motioned for approval with a one-year review. MS. WHEELER reminded him that there was already a condition addressing that. ROBERT GENZER, Director, Planning and Development Department pointed out that Condition 2

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
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Item 46 – RQR-4910

**MINUTES – Continued:**

references a Special Use permit and there is not one. CHAIRMAN TRUESDELL suggested deleting that condition. MR. PHILLIPS asked if Condition 7 would remain. COMMISSIONER DAVENPORT indicated he would leave the remaining conditions as it. DEPUTY CITY ATTORNEY SCOTT explained that if Council approved the coated chain-link fence on the original Site Plan he did not understand why Condition 7 now reads a wrought iron fence. COMMISSIONER NIGRO stated that the Planning Commission sends recommendations onto the City Council and since Council originally approved the chain-link fence, the applicant could take the issue up when the item was heard before City Council.

(9:37 – 10:20)

**3-1187**

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire one year from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. This Special Use Permit shall be reviewed in one year at which time the City Council may require the use to be discontinued.
3. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SD-0026-02).
4. A landscape plan shall be submitted to and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center along all property lines and a minimum of four five-gallon shrubs for each tree within provided planters. Planters shall be a minimum of 15 feet wide along public rights-of-way and 8 feet wide along the interior property lines.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
6. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Las Vegas Zoning Code Subchapter 19.12.050.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
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Item 46 – RQR-4910

**CONDITIONS – Continued:**

7. Perimeter fencing adjacent to public rights-of-way will be designed and constructed of decorative block, or wrought iron.
8. A parking lot screening wall (or walls) shall be designed in accordance with Title 19.12.040(C).
9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wall pack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. All City Code requirements and design standards of all City departments must be satisfied.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**WVR-4833 - WAIVER - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RANDEER, LLC - Request for a Waiver to Title 18.12.160 TO ALLOW APPROXIMATELY 90 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED adjacent to the northwest corner of Cimarron Road and Deer Springs Way (APN 125-21-202-004), T-C (Town Center) Zone, Ward 6 (Mack).**

**C.C.: 10/06/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 18 [GPA-4631], Item 19 [ZON-4635], Item 20 [SDR-4638], Item 27 [MOD-4632], Item 28 [WVR-4754] and Item 29 [SDR-4751] to 9/09/2004 Planning Commission meeting, Item 3 [TMP-4838], Item 26 [SDR-4619], Item 30 [ZON-4828], Item 31 [SDR-4837], Item 47 [WVR-4883], and Item 48 [SDR-4832] to 9/23/2004 Planning Commission meeting, WITHDRAW WITHOUT PREJUDICE Item 4 [TMP-4842], Item 5 [TMP-4843] and Item 40 [SUP-4834], TABLE Item 16 [ZON-4623] and Item 17 [SDR-4626], and STRIKE Item 49 [MOD-4879] – UNANIMOUS**

**MINUTES:**

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:06 – 6:31)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SDR-4832 - SITE DEVELOPMENT PLAN REVIEW RELATED TO WVR-4833 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RANDEER, LLC - Request for an Site Development Plan Review FOR A 131 LOT SINGLE FAMILY DETACHED DEVELOPMENT on 11.3 acres adjacent to the northwest corner of Cimarron Road and Deer Springs Way (APN 125-21-202-004), TC (Town Center) Zone, Ward 6 (Mack).**

**C.C.: 10/06/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 18 [GPA-4631], Item 19 [ZON-4635], Item 20 [SDR-4638], Item 27 [MOD-4632], Item 28 [WVR-4754] and Item 29 [SDR-4751] to 9/09/2004 Planning Commission meeting, Item 3 [TMP-4838], Item 26 [SDR-4619], Item 30 [ZON-4828], Item 31 [SDR-4837], Item 47 [WVR-4883], and Item 48 [SDR-4832] to 9/23/2004 Planning Commission meeting, WITHDRAW WITHOUT PREJUDICE Item 4 [TMP-4842], Item 5 [TMP-4843] and Item 40 [SUP-4834], TABLE Item 16 [ZON-4623] and Item 17 [SDR-4626], and STRIKE Item 49 [MOD-4879] – UNANIMOUS**

**MINUTES:**

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:06 – 6:31)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**MOD-4879 - MINOR MODIFICATION - PUBLIC HEARING - APPLICANT/OWNER:**  
**CITY OF LAS VEGAS** - Request for a Minor Modification to the Las Vegas Medical District Plan in order to reduce restrictions on mixed-use developments and to clarify the Table of Permitted Uses, Ward 5 (Weekly).

**C.C.: 10/06/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

**MOTION:**

**NIGRO** – Motion to bring forward and **HOLD IN ABEYANCE** Item 18 [GPA-4631], Item 19 [ZON-4635], Item 20 [SDR-4638], Item 27 [MOD-4632], Item 28 [WVR-4754] and Item 29 [SDR-4751] to 9/09/2004 Planning Commission meeting, Item 3 [TMP-4838], Item 26 [SDR-4619], Item 30 [ZON-4828], Item 31 [SDR-4837], Item 47 [WVR-4883], and Item 48 [SDR-4832] to 9/23/2004 Planning Commission meeting, **WITHDRAW WITHOUT PREJUDICE** Item 4 [TMP-4842], Item 5 [TMP-4843] and Item 40 [SUP-4834], **TABLE** Item 16 [ZON-4623] and Item 17 [SDR-4626], and **STRIKE** Item 49 [MOD-4879] – **UNANIMOUS**

**MINUTES:**

DAVID CLAPSADDLE, Planning and Development, stated that letters are on file for each of the requests.

(6:06 – 6:31)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**SDR-4498 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: ADA ARGUETA - Request for a Site Development Plan Review FOR A PROPOSED OFFICE AND A WAIVER OF LANDSCAPE STANDARDS on 0.11 acres at 1709 Eastern Avenue (APN 162-01-310-199), P-R (Professional Office and Parking) Zone, Ward 3 (Reese).**

**C.C.: 10/06/04**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**EVANS – APPROVED subject to conditions and adding the following condition:**

- All signage shall be subject to administrative review.

**– UNANIMOUS**

**To be heard by the City Council on 10/06/2004**

**MINUTES:**

CHAIRMAN TRUESDEL declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, indicated that aside from the landscaping waiver, the proposal is acceptable and compliant with the General Plan and other standards of Title 19. He described the landscaping waiver as appropriate because the omission of the landscaping will result in compliance of the parking lot.

PLANNING COMMISSION MEETING OF AUGUST 26, 2004  
Planning and Development Department  
Item 50 – SDR-4498

**MINUTES – Continued:**

ADA ARGUETA, 1709 South Eastern Avenue appeared and stated agreement with all conditions and staff recommendation.

COMMISSIONER EVANS questioned asked staff if conditions prohibiting certain types of signage for example, neon or garish colors. MR. WALTON indicated there was nothing on the Site Plan during the review that would allow staff to review the type of signage she is requesting. The signage would come under a separate review. COMMISSIONER EVANS referenced several businesses in the vicinity of this application, which use neon and strobe lights in their signage. He questioned staff on how to assure on the Site Plan that the project will be of good quality and prohibit garish signage. MR. WALTON indicated there was no such stipulation at this time regarding that issue. Conditions could be added to address the Commissioner's concerns.

DEPUTY PLANNING DIRECTOR, MARGO WHEELER, suggested verbiage for a condition that would require an administrative site plan review of a sign plan for appropriateness to this area. COMMISSIONER EVANS appreciated that suggested and added that he did not want the building to be the same bright yellow as shown in the photo.

(10:20 – 10:24)  
**3-3025**

**CONDITIONS:**

Planning and Development

1. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. The trash enclosure shall be covered and screened as required by the Commercial Design Standards. The enclosure shall be relocated to be a minimum of 50 feet from the residential zone to the east.
4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

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**CONDITIONS – Continued:**

5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. All mechanical equipment and air conditioners shall be fully screened in views from the abutting streets.
7. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. All City Code requirements and design standards of all City departments must be satisfied.

**Public Works**

11. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
12. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
13. Site development to comply with all applicable conditions of approval for Z-43-99 and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: ROBERT S. GENZER**

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**CONSENT**

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**DISCUSSION**

**SUBJECT:**

**TXT-4435 - TEXT AMENDMENT - PUBLIC HEARING - CITY OF LAS VEGAS -**  
Discussion and possible action to amend Title 19.06.130, "Live/Work Overlay District," in order to expand the boundaries of the Live/Work District and to permit live/work units in PD zoning districts.

**THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map – Not Applicable
2. Conditions For This Application
3. Staff Report

**MOTION:**

**NIGRO – APPROVED – UNANIMOUS**

**This item will be forwarded to City Council in Ordinance form.**

NOTE: Chairman Truesdell stated that in the existing Live/Work Overlay District, he owns interest in a piece of property. He has no interest in the properties within the proposed expanded portion nor is there any economic interest or benefits so he would vote on this item.

**MINUTES:**

CHAIRMAN TRUESELLE declared the public hearing open.

MARGO WHEELER, Planning and Development, stated that this item will expand the Live/Work area into the medical district, as well as, the Union Park also called the 61 acres. The text changes will add the PD zoning and remove the exclusion of medical offices as permitted non-residential uses within the area.

COMMISSIONER McSWAIN questioned some of the language used regarding removing the height of buildings and setbacks. MS. WHEELER clarified that this language pertains to the medical district, as there have been some mixed-use projects within the medical district. Currently, two stories is the maximum allowed. The same language would be used as in the Downtown Centennial Plan, which would allow greater flexibility on these types of projects

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**MINUTES – Continued:**

within the medical district. These projects would come before the Commission as Site Plan Reviews.

CHAIRMAN TRUESDELL declared the public hearing closed.

(10:24 – 10:27)

**3-3241**



**PLANNING COMMISSION AGENDA**  
**PLANNING COMMISSION MEETING OF: AUGUST 26, 2004**

**CITIZENS PARTICIPATION:**

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

**MINUTES:**

None

**MEETING ADJOURNED AT 10:28 P.M.**

Respectfully submitted:

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ARLENE COLEMAN, DEPUTY CITY CLERK

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STACEY CAMPBELL, DEPUTY CITY CLERK